United Nations E/C.12/CPV/1

Economic and Social Council

Distr.: General
27 December 2017

Original: English
English, French and Spanish only

Committee on Economic, Social and Cultural Rights

Initial report submitted by Cabo Verde under articles 16 and 17 of the Covenant, due in 1995*

[Date received: 6 November 2017]

* The present document is being issued without formal editing.

GE.17-23839(E)

Please recycle

Contents

	Page
Acronyms	3
Introduction	5
Part I: General Provisions	5
Article 1: Right to Self-Determination	5
Article 2: Non-Discrimination	6
Article 3: Equal Rights of Men and Women	6
Article 4 & 5: Acceptance of International Human Rights Norms	8
Part II: Specific Rights	8
Article 6 & 7: Right to Work and Satisfactory Working Conditions	8
Article 8: Right to Union Membership	16
Article 9: Right to Social Security	17
Article 10: Protection of the Family	21
Article 11: Living Conditions	27
A. Right to constant improvement of living conditions	27
B. Right to food	27
C. Right to water	29
D. Right to housing	31
Article 12: Right to Health	33
Article 13: Right to Education	37
Article 14: Right to Culture	40

Acronyms

ALUPEC	Unified Alphabet for the Writing of the Creole
ANAS	National Water and Sanitation Agency
ANSA	National Agency for Food Security
ARE	Economic Regulation Agency
ARFA	Agency for the Regulation and Supervision of Pharmaceutical and Food Products
BQE	Qualification and Employment Scholarship
CAS	Water and Sanitation Code
CRC	Convention on the Rights of the Child
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
ECOWAS	Economic Community of West African States
LC	Labour Code
CNDHC	National Commission for Human Rights and Citizenship
CNPETI	National Committee for the Prevention and Elimination of Child Labour
CNPS	National Social Pension Centre
CNSAN	National Council for Food and Nutritional Security
COMNAC	National Commission for the Control of Small Arms and Light Weapons
CSMP	Superior Council of the Public Prosecution Services
SDGPR	Strategy Document for Growth and Poverty Reduction
DNA	National Directorate for the Environment
UDHR	Universal Declaration of Human Rights
ECA	Child and Adolescent Statute
CVE	Cabo Verdean Escudo
GIO	Information and Guidance Office
ENSA	National Food Security Strategy
ESGAS	Social and Gender Strategy for the Water and Sanitation Sector
HAIMO	High Intensity Manpower Fronts
FICASE	Cabo Verdean Foundation for Social and School Action
ICCA	Cabo Verdean Institute for the Child and Adolescent
ICIEG	Cabo Verdean Institute for Gender Equality and Equity
ICPD	International Conference on Population and Development
IDRF	Household Expenditure and Income Survey
IEC	Information, Education and Communication
IEFP	Institute for Employment and Vocational Training
IFH	Institute for Housing Development
IGT	General Labour Inspectorate
ICM	Continuous Multi-Purpose Survey

INPS	National Institute for Social Security
IRPC	Corporate Income Tax
IRPS	Personal Income Tax
STI	Sexually Transmitted Infections
IUE	University Institute of Education
VAT	Value-added tax
MDGs	Millennium Development Goals
ILO	International Labour Organization
NGO	Non-Governmental Organization
UNODC	United Nations Office on Drugs and Crime
PCCS	Plan for Jobs, Careers and Salaries
PEDA	Strategic Plan for Agricultural Development
PEDS	Strategic Plan for Sustainable Development
PENLS	National Strategic Plan to Combat HIV/AIDS
PEPAP	Professional Internship Program of Public Administration
PETI	Prevention and Elimination of Child Labour
GDP	Gross Domestic Product
ICESCR	International Covenant on Economic, Social and Cultural Rights
JP	Judicial Police
PLENAS	National Strategic Plan for Water and Sanitation
PNIA	National Plan for Agricultural Investment
PNLP	National Program for the Fight against Poverty
PNVBG	National Plan against Gender-Based Violence
PPTD	Program for the Promotion of Decent Work
REMPE	Special Regime for Micro and Small Enterprises
RRJCP	Regulation on Land Registry Legal Regime
RVCC	Skill Recognition, Validation and Certification
AIDS	Acquired Immune Deficiency Syndrome
SIMFAR	Integrated Pharmaceutical Market Monitoring System
SNHS	National Social Housing System
SOAT	Compulsory Work Accident Insurance
SOCA	Cabo Verdean Society of Authors
ICT	Information and Communication Technologies
SS	Sex Workers
UD	Drug Users
UDI	Injecting Drug Users
UNICEF	United Nations Children's Fund
GBV	Gender-Based Violence
HIV	Human Immunodeficiency Virus

Introduction

1. The State of Cabo Verde ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR) in 1993 and, aware of its obligations, herein submits its initial report to the Committee on Economic, Social and Cultural Rights in accordance with Article 16 of the Covenant.

2. This report contains information on the implementation of articles 1 to 15 of the Covenant and data referring mainly to the period 2010 to 2015, highlighting the legislative, administrative and political measures taken by the State of Cabo Verde, as well as the progress made in the fulfilment of the economic, social and cultural rights.

3. This report is composed of two parts: a separate common core document, submitted separately, and the present specific document, prepared based on the revised guidelines (E/C.12/2008/2).

4. As stated in the common core document, the report was prepared under the coordination of the National Commission for Human Rights and Citizenship (CNDHC), with the involvement and collaboration of public institutions and civil society organizations throughout the process: the preliminary report was socialized on 20 February 2017, to share the first draft of the document and collect contributions from participants for the conclusion of the report.

5. Regarding the Optional Protocol to the ICESCR, in July 2011, the CNDHC held a forum to launch the third series of Human Rights Documents designated *HR Documents* containing the ICESCR and its corresponding Optional Protocol. This same forum served to sensitize the authorities on the advantages and the need for ratification of the Optional Protocol to the ICESCR.

6. In 2013, the CNDHC released a booklet on the benefits of the Optional Protocol to the ICESCR. That same year, the Commission produced a Spot on the ICESCR which was broadcast on television several times. This spot, which is periodically broadcast on television, had the purpose of publicizing the rights enshrined in the Covenant and draw attention to their observance. On the other hand, in 2014, the CNDHC produced a human rights spot with reference to the various rights provided for in the UDHR, in which it raised awareness to the respect of children's rights and the economic, social and cultural rights.

Part I
General Provisions

Article 1
Right to Self-Determination

7. In international relations, the Republic of Cabo Verde is governed by the principle of national independence, respect for international law and human rights, equality between States, non-interference in the internal affairs of other States, reciprocity of cooperation with all other peoples and peaceful coexistence.

8. As a full member of the International Community, the Cabo Verdean State has been guiding its national and international action to defend international law, the right of peoples to self-determination, multilateralism, the primacy of the United Nations in the international system, peace, security and cooperation among peoples. The country is a full member of the United Nations, the African Union (formerly the Organization of African Unity) and the Community of West African States since the beginning of its independence.

9. Extradition for political, ethnic, religious or opinion-related grounds is constitutionally prohibited, with the exception of acts of terrorism and other specific situations. Likewise, the Constitution of the Republic recognizes the right of asylum, and its legal regime was approved by Law 99/V/99 of April 19.

10. Article 69 of the Constitution guarantees the right to private property, which may be affected by the will of the public authorities, through the requisition and expropriation mechanisms, upon payment of a fair compensation.

11. Considering that when it was discovered Cabo Verde was uninhabited, which only later was colonized by individuals of European origin and slave labour from the adjacent regions of the African continent, there are currently no communities in the country with an ethnic identity distinct from the majority Cabo Verdean people Consequently, the Constitution does not contain special rules on the protection of the indigenous communities' property rights over the national territory.

Article 2
Non-Discrimination

12. Section III of the Common Core Document (Information on non-discrimination, equality and effective remedies) presents the legal provisions in force in the country on equality and non-discrimination and provides information on the legal, institutional and policy framework for groups prone to discrimination, which seek to effectively guarantee the principle of equality and equal opportunities for personal fulfilment for its members. Particular emphasis was placed on women, the elderly, immigrants and people with disabilities in this section of the common core document (paragraphs 217 to 266). Children, adolescents and youth are among the groups considered vulnerable, who will be the subject of a detailed analysis in this specific report, under their own articles. Other key public policies on non-discrimination are those aimed at reducing poverty and social inequalities, equity in access to education, health, housing and living conditions, culture, respect for human rights, as it will be detailed later, under their own articles.

Article 3
Equal Rights of Men and Women

13. The Common Core Document sets out the country's legal, institutional and policy framework on equal rights for women and men (in particular paragraphs 224 to 232), describing how the promotion of gender equality in the country has been implemented. The Cabo Verdean State is party of the human rights instruments mentioned in paragraph 154 of the common core document, especially the CEDAW. In 2005, Cabo Verde submitted to the CEDAW Committee its combined initial and II-VI reports, which were reviewed in 2006 (CEDAW/C/SR.753 and 754) and, in 2010, the VII and VIII combined periodic report, reviewed in 2013 (CEDAW/C/SR.1140 and 1141). The recommendations received from the Committee in July 2013 (CEDAW/C/CPV/CO/7-8) are currently under implemented.

14. Cabo is party to the main global agenda documents on gender equality and empowerment of women, notably, the Cairo Program of Action and the Beijing Platform, which as CEDAW, are part of the regular monitoring of achievements at national level (the latest reports date from 2013 and 2014 respectively — ICPD+ 20 and Beijing+20). In addition, and within the scope of monitoring achievements and challenges, two progress reports on MDG 3 were prepared, also in a participatory and cross-sectoral manner.

15. The gains achieved in education include parity in access to primary education, with a supremacy of girls in relation to boys in secondary and higher education. The detailed data are referred to in paragraphs 38 and 39 of the common core document. Concerning the literacy rate (data referred to in paragraph 41 of the common core document), although it is still lower among women, particularly rural women, especially older women, the indicator shows overall improvements, at the same time as the gaps between men and women have been attenuated, reflecting efforts made in this sense.

16. Despite considerable advances in women's economic empowerment, women continue to be more inactive than men, which conditions their access to income. It should be noted that 2010 Census data indicate that 23% of inactive women report family responsibilities as the main reason, which happens with only 4% of men. Indeed, domestic

and family responsibilities in Cabo Verde remain a role played essentially by women, which entails substantial investments in time and effort: Data from the Time Use Survey (2012) show that about 82% of the population aged 10 years or more, carries out unpaid work, dedicating on average about 1/3 of their weekly time, which in the case of women corresponds to about 63 weekly average hours, and men about 38 weekly average hours, a difference of about 24 weekly average hours.

17. Active women, on the other hand, as shown by the above-mentioned data, have a less favourable integration in the labour market than men, which also limits their access to income. In terms of labour market integration, in 2015 (IMC) the majority of the population employed in Cabo Verde worked in the elementary professions (56.6% of which are female and 43.4% male), in personal, protection, security and sale services (with a clear predominance of women 56.2% against 43.8% of men). The employment market shows a marked segregation by sex, with predominantly male areas. The presence of men is largely majority in the military professions, such as plant operators, machinery and assembly, skilled workers in manufacturing, construction and craftsmen.

18. As a result of sexist stereotypes strongly entrenched in the national culture about sexual roles, which confine women to the domestic and private environment and men to the public sphere, transmitted in the process of gender socialization, and it is also seen, with regard to the issue of participation in political and public life, a situation of subordination of women compared to men, despite some progress made as a result of campaigns to raise public awareness, advocacy and the training sessions of political leaders carried out by ICIEG. Despite advances in representativeness of women in the National Assembly (from 3.8% in 1991 to 26% in 2016), the proportion remains below the 30% target. At the municipal level, women's representativeness also increased over time: from 22% in 2012 to 26% (both at Municipal Assembly and the Municipal Council level), although no female mayor has been elected, out of a total of 22 municipalities. Nevertheless, it is worth mentioning that Cabo Verde achieved the great deed of having a parity government, at the executive power level (by appointment) over 3 terms, since 2006 (taking into account the parity rate ranging from 40% to 60%, in line with international recommendations regarding this indicator). Currently, the executive government includes 3 women in a total of 11 Ministers (27.3%).

19. In the Supreme Court of Justice out of the 7 magistrates, 2 are women, with the President being a woman. The Superior Council of the Judiciary, which is responsible for the administration of judicial magistrates, courts and judicial secretaries, is also presided over by a woman. Moreover, the position of Chairperson of the Bar Association is occupied by a woman. In the Magistracy the proportion of magistrates has varied between 35% and 37% in the period from 2009 to 2015. In the civil service, out of 106 senior managers, 37 (35%) are women and 69 men. As far as political parties are concerned, the situation is not very different.

20. In 2005, the Demographic and Reproductive Health Survey included for the first time a module on domestic violence that allowed a better understanding of domestic power relations and a clear national/regional framework of violence against women in the domestic sphere, their manifestations and their degree of social acceptance. Data on violence were instrumental in informing the formulation and implementation of the PNVBG (2008–2011), which has resulted in significant progress in several respects, as noted above, including strengthening the legal framework in this matter. Data show that 1 in 5 women had been victim of at least one episode of violence in the last 12 months (20%), including physical (16%), psychological (14%) or sexual violence (4%), with the proportion of women seeking support being very limited support. The perpetrator of acts of physical violence is, in 19% of cases, the husband or partner, and in 22% of the cases, the former partner.

21. According to data from the Report on the State of Justice from the Superior Council of the Public Prosecution Service (CSMP), 2,926 cases related to the practice of GBV crime were filed during the judicial year 2015/2016. Compared with the judicial year 2014/2015, which filed 3,445 cases, there is a decrease of 519 filed cases. In the previous judicial year (2013/2014) the number of filed cases had been 3,328. The number of investigation closing clearance (resolved) during the 2015/2016 judicial year was 2,119,

which translates into a decrease of 448 cases (2,567 cases settled in the previous year). It can be observed that in the judicial year of 2013/2014 the number of cases settled was 1,631 and in the year 2014/2015, of 2,567. For the 2015/2016 judicial year, there were 7,607 transferred from the previous year, which, together with the 2,926 cases filed, amount to a total of 10,533 lawsuits. Of these, 2,119 were settled and 8,414 transited to the judicial year 2016/2017. Despite much that remains to be done, it is worth highlighting the substantial increase in cases that are reported, investigated and brought to justice. On the other hand, the rate of resolution, which, although overall is still insufficient, is higher than the rate of resolution of other crimes.

Article 4 & 5
Acceptance of International Human Rights Norms

22. As the framework of the whole national legal system, the dignity of the human person is an absolute value that overrides the State, which is obliged to respect and protect it. It gives rise to important guarantees for citizens, such as the exceptional nature of the restriction of rights, freedoms and guarantees, only occurring in very exceptional situations: declaration of a state of siege or emergency.

23. The rights and freedoms set forth in the Constitution are inviolable, and the State is responsible for protecting them (Article 15), and all citizens have the right to petition the Constitutional Court for their protection by means of appeal for legal protection (Article 20), as well as the right to complain to the Ombudsperson about the actions and omissions of public authorities which infringe their rights and freedoms, which will recommend to the competent institutions the measures necessary to prevent illegalities and injustices.

24. The guarantee of access to justice by all, under article 22 and article 59, as well as the right of petition and popular action are other rights constitutionally consecrated.

25. The ratification of the International Covenant on Economic, Social and Cultural Rights binds the Cabo Verdean State, charging it with the obligation to comply with it, in accordance with article 12 of the Constitution. As such, the basic law enshrines broad support for economic and social rights, only allowing, in exceptional and well-defined situations, restrictions on fundamental human rights.

Part II
Specific Rights

Article 6 & 7
Right to Work and Satisfactory Working Conditions

26. The Right to Work is constitutionally enshrined in Article 61 of the Basic Law as a right that entitled to all, tasking the public authorities to promote the conditions for its effective exercise. It also states that "the duty to work is inseparable from the right to work". Cabo Verde ratified a number of Conventions of the International Labour Organization, namely, the Co87 on Freedom of Association and Protection of the Right to Organize, 155 on Occupational Safety and Health, 182 on the Interdiction of the Worst Forms of Child Labour, and on decent work, becoming bound to its implementation.

27. With regard to the ordinary legislation on the right to work, there are the Labour Code, Decree-Legislative No. 5/2007, and the Civil Service Basic Law, Law No. 42/VII/2009, both recently revised, which, together with other legislation gives body to the labour legal framework of the country. The first law applies to subordinate labour relations implemented in the framework of private companies, cooperative, mixed and independent labour relations, without subordination to Public Functionalism, and other bodies, and the latter applies to labour relations in the Cabo Verdean Public Administration and to the services and organisms under the organic and functional dependence of the Presidency of the Republic, the National Assembly and the judicial institutions.

28. These new norms stemmed from the need to modernize labour legislation, emphasizing the right and duty of work, in line with the Constitution, an instrument not only to satisfy the worker's/employee's subsistence needs, but also of personal fulfilment and promoting their contribution to the development of their community.

29. Some important achievements of the workers brought, in particular, by the Labour Code relate to the limitation to five successive renewals of the fixed-term contracts, putting an end to situations of labour precariousness; the introduction of positive discrimination measures, incentives for hiring people with disabilities, by granting tax benefits to companies that recruit workers with disabilities on an indefinite basis or under a service provision system (Article 5); the prohibition of child labour (Article 7), regulation of domestic work (Article 286), which is an activity practised almost exclusively by women in 95% of cases, the prohibition of dismissal without just cause, among others.

30. However, Cabo Verdean labour legislation is, for some sectors of society and businessmen, highly criticized for its excessive rigidity, considered as an obstacle to the country's competitiveness. As concluded in a framework study prepared by the World Bank in 2012 in the context of the preparation of the GPRSP III,[1] the labour legislation in Cabo Verde can be considered rigid and inhibiting investment and, consequently, employment. According to the same study, the country has performed poorly in the World Bank's Labour Market Efficiency Index, which measures companies' ability to soften and manage the workforce. The study pointed out to the need for significant labour market reforms. The rigidity of employment was calculated from the average of three sub-indexes: hiring difficulty, rigidity of schedules and difficulty of dismissal and in this indicator Cabo Verde ranked 43th out of 57 countries. Cabo Verde was one of the countries that presented the highest costs associated with the dismissal. The cost in weeks of wages has taken into account the pre-notice requirements, the termination indemnities and the penalties to be paid to a dismissed worker, expressed in weeks of salary.

31. In line with the criticisms made to the Labour Code, in particular by the economic operators and, as stated in the law's preamble, with a view to creating instruments indispensable to effective economic growth, improving business competitiveness and improving the employability of Cabo Verdean people, a labour law reform was carried out in February 2015 (Legislative Decree No. 1/2016 of February 4). The review was driven by the need for reforms to enable a more flexible labour market, which would create jobs and foster private sector growth, investment and productivity. Indeed, one of Cabo Verde's major challenges is the improvement of the labour market capacity to absorb workforce, in particular the youth labour force with high rates of unemployment, in a view to reducing poverty and social cohesion.

32. The amendments dealt with issues such as softening of working time, dismissal for objective reasons, prior notice deadlines and new recruitment modalities. On the termination of the employment contract, changes were made in the scope of dismissals on objective grounds, namely collective dismissal, dismissal for maladjustment, termination of employment, as well as the prior notice deadlines to which those procedures are subject and also in the compensations due in case of termination of the employment contract. With regard to dismissal without just cause, there was a reduction of compensation due to the worker, who instead of two months for each year of service, receives 40 days of basic compensation for each year, and for collective dismissals and for just cause objectively, the compensation went from 30 to 20 days, for each year of work. There was also a decrease in the value of overtime pay, from 50% to 35% of the hourly rate.

33. The dismissal with just cause must always be preceded by a disciplinary process, under penalty of nullity and, consequently, of being considered a dismissal without just cause. In case of dismissal without just cause, within a period of 15 days, the employee may request the intervention of the General Directorate of Labour or request the Court to the provisional measure of judicial suspension of dismissal. The dismissal may be also contested in court, within one year. Unfair dismissal gives the employee the right to be

[1] Oliver Azuara and Rita Almeida. Fostering Skills, Employability and Productivity to Promote Competitiveness in Cabo Verde. World Bank, May 2012. Framework study prepared for the GPRSP III process by the World Bank.

reinstated in the company, as well as to remunerations from dismissal to reinstatement or, if the employer prevents reintegration, the right to compensation corresponding to forty-five days for every year of work.

Labour market data

34. The Cabo Verde's common core document, which forms an integral part of its specific report on the implementation of the ICESCR, presents a description of the main labour market indicators in Cabo Verde (paragraphs 42–46), therefore in this section will only present indicators not referred to in the common core document.

35. By 2015, at the national level, the unemployed were mostly men (58.7%). The average age of the unemployed at national level was 29.7 years. The average number of years of schooling of the unemployed was 8.5 years, equivalent to the first cycle of secondary education, being slightly higher in urban areas (8.5 years) and lower in the rural area (8.4 years). Almost 3/4 of the unemployed have already worked (77.2%), while 22.8% are looking for their first job.

36. According to data from the 2015 Multi-purpose Continuous Survey (IMC), the informal economy accounts for 12.1% of Cabo Verde's Gross Domestic Product (GDP) and annually moves 180 million dollars. In this survey companies are counted on an individual basis, without organized accounting (without separation of accounts between the holder and the business). Agricultural businesses are not accounted for in this survey. Cabo Verde has 33,228 Informal Production Units, compared to 24,870 in 2009, which may be due to an increase in the need for self-employment, since approximately 76% of the units are single-employed (self-employed workers). About 40% of informal units were created after 2009.

37. Most of the units are concentrated in urban areas (79.5% while 20.4% are located in rural areas). The city of Praia has about a third of the units (11,577), followed by São Vicente (8,507). Most of the informal production units in Cabo Verde (46.7%) do not have a specific place to carry out their activity and 6.6% do not have capital.

38. The vast majority of the Units operates in industry (36.6%), followed by trade (34.9%) and services (28.5%). The services sector has the highest rate of paid informal employment in the country. Street vendors dominate the sector largely (46% without a place of business and 29% holding the house as only place).

39. Women are the majority of the promoters in the Informal Sector (62.5%): 20,767 of the Units are promoted or operated by women, while 12,460 are operated or promoted by men. The proportion of self-employed workers is also higher among women (84%). Men are employed mainly in industry and services (81%) and women in trade (42.5%). Women are concentrated in agri-food, retail, lodging and catering. Agribusiness and retail trade are, in general, characterized by precariousness, lack of specialization, low investment and high unpredictability in income.

40. Youth up to 25 years in the informal sector represent 11.1%: 4.7% as self-employed workers with staff and 6.4% self-employed workers without staff. They are often family workers.

41. Paid workers in the informal sector account for only 8% (14% for men and 4% for women), with a focus on family workers (58.6% of paid workers): 77% work on a permanent basis in informality and only 2.3% have a written contract. Social protection coverage is concentrated in the minority of paid workers. Dependent workers tend to have more years of education than self-employed, while 63% of dependent workers have secondary or higher level, only 32% of self-employed have this status.

42. In terms of income, despite the low productivity of the sector, half of the informal sector workers earn a monthly income of 17,500 CVE or more, above the national minimum wage (11,000 CVE) and above the lowest wage category of the salary table of public administration (15,000 CVE). The average value reaches 30,600 ECV. There are, however, differences in income between sectors of activity and according to the situation before the activity (owner, staff, etc.).

43. Social security coverage is concentrated mainly in dependent and fixed-term workers, a very minority class in the informal sector. Social security coverage varies substantially by sectors of economic activity, affecting less comprehensively the activities with the highest concentration of activity of the informal sector units. There is no evidence that workers in the informal sector currently enjoy better coverage (considering the low rate of employed workers and contracts in the sector). Public policies in this area are subdivided into those of a macro and micro-economic nature, the so-called active employment policies. The first concerns the creation of a stable macroeconomic framework that allows sustained economic growth, at solid rates, to generate employment. Within this framework, a number of measures aimed at stabilizing key economic indicators and good management of public finances have been adopted.

Public policies on labour and employment

44. The creation of jobs and the existence of a decent remuneration of the workers have appeared as priorities of the action of the public powers in the framework of the country 's development policy. All Strategy Document for Growth and Poverty Reduction (SDGPR I, II and III) have pointed to employment generation as one of the pillars of poverty reduction and development and advocated the promotion of competitiveness to foster economic growth and the creation decent jobs. In this context, the qualification of human resources and the commitment to education and vocational training are outlined as master strategies for the materialization of this objective.

45. The Government Program of the IX Legislature (2016) presents policy measures in the field of employment that include active employment policies and stresses the importance of the social economy in expanding employment, equal opportunity and promoting social, environmental and historical assets that support the historical and regional development, based on the modernization and consolidation of the social economy through mechanisms of administrative simplification and promotion of municipal networks of social economy, among others. In order to stimulate employment, measures have been taken, such as: incentives for companies recruiting young people, co-financing of professional internship in partnership with the private business sector and in conjunction with the education system; the promotion of entrepreneurship; strengthening the skills of young graduates, in particular through retraining and qualification programs; the promotion of financing for enterprises.

46. The Employment and Vocational Training Institute (IEFP), created in 1994 by Decree-Law No. 51/94, of August 22, repealed by Law No. 5/2010 on August 16, is the entity entrusted with the promotion of employment and development of vocational training holding the secretariat of the National Employment and Vocational Training Council and the management of the Employment and Training Promotion Fund.

47. The Social Dialogue Council was created by Decree-Law No. 35/93 of June 21, as an advisory and tripartite body for the harmonization of economic, social, employment, labour relations, salary and concertation of interests between the State, the workers and the employers. Decree-Law No. 35/93 was amended by Decree-Law 5/97, of February 3, and Decree-Law No. 8/2008 of November 24.

48. Support for the definition of labour policy, regulation of the sector and resolution of labour disputes are some of the tasks of the General Directorate of Labour, which in the case of the above-mentioned disputes, there may be an appeal to the courts, following a relatively rapid procedure. The General Inspectorate is the body responsible for monitoring compliance with legislation. The process of revising its Statutes is on-going.

49. It is worth mentioning, in the context of the implementation of public policies on employment and training, the creation of the Employment Observatory by Decree-Law No. 34/2011 of December 26, 2011. It is a strategic instrument for the monitoring and evaluation of the impacts of the policies implemented in this sector and providing inputs on the needs of the labour market, in order to define new policies.

50. Vocational Training, for its job generating capacity, was elected as a strong axis of intervention. The Legal Regime for Vocational Training was established by Decree-Law No. 37/2003 of October 6 and regulated by Decree-Law No. 18/2005 of December 26,

which established the certification scheme for Vocational Training, which consists of the award of a vocational training certificate or a certificate of professional competence attesting that the holder is fit and has the skills necessary for the exercise of a particular profession. In 2014, through Decree-Law No. 52/2014 of September 22, the aforementioned legal regime was revoked and the new General Legal Regime of Vocational Training was approved. The new law introduced the subject of supervision of the activities of the training entities, the administrative offence system in the field of vocational training with the aim of guaranteeing the previous accreditation of the training entities, and fixed the fees that are levied on the services provided in this field. In the same year, the Regulation of the System of Recognition, Validation and Certification of Competencies (eVCC) was approved.

51. In 2004 the White Paper on Vocational Training, which showed its poor integration with the Education System, the lack of focus on market needs, as well as other deficiencies in pedagogical management as the main constraints of the sub-sector. Among the measures implemented for the development of vocational training are the implementation of the Training of Trainers Centre project, the development of the Trainer Statute, through Decree-Regulation No. 14/2005 of December 26, Decree-Law No. 12/2008 of April 7, 2008 of the National Council for Employment and Vocational Training, comprising representatives of the Ministry of Qualification and Employment and the social partners and the Inter-ministerial Council for Employment and Training, two technical advisory bodies, both under the supervision of the Minister of the sector. In 2007, the country adopted the first Strategic Plan for Vocational Training (2007–2010). In 2013, Resolution 112 was adopted, which established the Integrated Education, Training and Employment Policy Charter (2013–2018), which elected Professional Internship as a priority project.

52. In 2011, through Decree-Regulatory No. 6/2011 that regulates the Statute of Employment and Vocational Training Centres, all the decentralized structures of IEFP became Employment and Vocational Training Centres. The aforementioned decree provides that the Employment and Vocational Training Centres must have three services, namely the Vocational Training and Guidance Service, the Active Employment and Life Insertion Service and the Administration, Finance and Human Resources Service. There is currently a total of 12 vocational training centres in the country, in different islands and municipalities and the Hotel and Tourism School of Cabo Verde, which came into operation in 2011.

53. The new Statute established new tasks for the IEFP, with a view to combining the "employment" and "vocational training" aspects in the Centres, which were formerly dedicated exclusively to "vocational training". Since 2011, the IEFP has invested heavily in the institutional strengthening of employment services through the following interventions: creation and implementation of standardized intervention instruments and methodologies, training of managers and employment officers in labour intermediation, accounting and mobilization of job vacancies, recruitment of job vacancies (job vacancies mobilized in 2014, a total of 371, registered a positive change to 183% more than in 2010, 222% more than in 2011, 64.8% in 2012 and 25% in relation to 2013), increased placement/direct integration of young people and adults in the labour market (direct placements increased from 100 in 2012 to 286 in 2014/2015, with the integration of 543 young people and adults in the labour market); job search and registration.

54. In addition to vocational training programs and entrepreneurship and self-employment programs, the IEFP has promoted other measures of active employment policies, namely: The National Program of Professional Internship, which aims to give young people the opportunity to seek 1st job through of internship in a real work context. Internship promoted by the IEFP have thus improved the personal, social and technical skills of young graduates so that they are 'employable', thus promoting their access to the labour market. Since 2007 (pilot phase) to date, 3,075 unemployed young people have already benefited from a professional internship promoted by the IEFP and there has been high demand from employers, with a post-employment rate of 50%.

55. The IEFP has promoted girls' access to vocational training: in 2009 boys (53%) had greater access to vocational training, but by 2012 the proportions were close (51% for girls

and 49% for men, with 1,280 female beneficiaries and 1,257 men, a total that continued in 2013.

56. Another measure that promotes the employability of young people is the Qualification and Employment Exchange (BQE), an online registration tool of employment supply, as well as training and professional internship made available.

57. Through the portal of the House of the Citizen, "Portion di nos Ilha". The Public Administration Professional Internship Program (PEPAP) for young graduates, recent graduates or job seekers, falls within the same scope. It has a duration of 6 months, paid at the rate of 50% of the salary (32,012 $), and among its beneficiaries an employment rate of over 60% has been registered.

58. In July 2014, the Special Regime for Micro and Small Enterprises (REMPE) (Law No. 70/VII/2014, of August 26) was approved. REMPE introduces a tax and fiscal framework, and not only, it favours the promotion of competitiveness, productivity, formalization and development of micro[1] and small enterprises.[2] It is a public policy initiative that promotes the formalization of enterprises (Informal Production Units) with a view to the transition to the formal economy.

59. REMPE entails: no obligation to identify accounting officer and the maintenance of organized accounting for tax purposes; that 10% of public work budget shall be allocated to the subcontracting of micro and small businesses and that 25% of public procurement shall be allocated to micro and small businesses; a simplified model for tax payment purposes; the replacement of IRPC and IRPS (corporate and personal tax on income), VAT, fire tax and contribution for social security through the Special Unified Tax (4% on the turnover); the 30% discount of the Special Unified Tax during 2 years for Micro-enterprises; the 30% discount in the first year and 20% in the second year of the Special Unified Tax for small businesses; the customs and VAT exemption in import of commercial vehicles; the exemption in payment of stamp duty in credit agreements; the exemption in payment of stamp duty or any fees and legal charges in incorporating micro and small enterprises, in increasing and registering the share capital; the reduction by half of fees payable in notarial and registry acts resulting from purchase and sale of real estates for installing micro and small enterprises and waiver in publicizing any corporate act.

60. Civil society organizations have also played an important role in the promotion of employment and vocational training, in particular NGOs dedicated to women's empowerment, not only through the provision of training courses, but also in the field of micro-finance with the granting of credit for the development of income-generating activities and creation of self-employment, within the framework of the protocols signed in the context of the implementation of the Program to Combat Poverty and other lines of financing.

Working conditions

61. The right to a satisfactory working environment is constitutionally covered by the combined reading, in particular of Articles 62 (right to retribution) and 63 (other rights) under which the right to decent working conditions, hygiene, health and safety are safeguarded. In the period covered by this report, Cabo Verde was involved in the implementation of the following international legal instruments on the dignity of working conditions: ILO Convention 182 on the Elimination of the Worst Forms of Child Labour, ratified on 23/10/2001 and ILO Convention 155 on the Safety and Health of Workers of 1981, approved for ratification by Resolution No. 121/V/1999 of June 21. By Resolution No. 1/2011 of the Council of Ministers of January 10, the Ministry in charge of Labour was authorized to conclude with the International Labour Organization a cooperation

[1] A business unit that employs up to five employees and has a gross annual turnover not exceeding 5.000.000,00 CVE.

[2] A business unit employing between six and ten employees and having a gross annual turnover of more than 5.000.000 CVE and less than 13.000.000 CVE.

protocol for the elaboration and implementation of a Program for the Promotion of Decent Work (PPTD) for Cabo Verde.

62. The Labour Code and the Civil Service Basic Law establish a set of guarantees, individual and collective rights of employees, as well as duties and obligations of employers, including the right to retribution, the enjoyment of good health and hygiene and safety conditions at work, the development in the professional career according to principles of equality, merit and capacity, the conciliation of the public service provision with the family life, among the most important.

63. The Labour Code expressly stipulates that the employee is entitled to health and safety at work (Article 86), and the employer has the duty to assure him/her of adequate hygiene and safety working conditions, in particular, by complying with and enforcing the applicable legal and regulatory rules and instructions issued by the competent entities. The regulations regarding worker's health and safety are determined by Decree-Law No. 55/99 of September 6. The law establishes a number of measures that must be adopted by companies, establishments or services, with a view to avoiding or reducing occupational risks.

64. In addition, the Labour Code enshrines the right of workers and family members to compensation for work-related accidents and medical and medicine assistance (Article 17), and to obtain compensation for damages resulting from occupational accidents or occupational diseases, under the terms defined by law (Article 86). The Compulsory Insurance against Work Accidents and Occupational Illness (SOAT) has been transferred to the insurance sector. Compulsory insurance for occupational accidents is regulated by Decree-Law No. 84/78, of 22 September, as amended by Decree-Law No. 6/87, of 14 February, which defines as an occupational accident all those that occur in the exercise of the worker's professional activity and that directly or indirectly produces bodily injury, functional disturbance or illness, and equates work-related accidents with occupational diseases; also equivalent to occupational accident are the occupational diseases defined as those caused by work and the conditions under which it happens. The right to compensation includes medical, pharmaceutical, hospital benefits, compensation for temporary (partial or absolute) incapacity, life annuity in cases of permanent incapacity, and pensions for the victim's relatives and funeral expenses in cases of death. Insurance is the sole responsibility of employers, who incur a fine, in case of omission of workers, and delays or non-payment of contributions.

65. Foreign workers legally authorized to engage in subordinate work in Cabo Verde or covered by Cabo Verdean labour law are allowed to enjoy the same rights and are subject to the same duties of the worker with Cabo Verdean nationality. In the Civil Service, foreign workers are authorized to perform technical functions.

66. In January 2014, the national minimum wage was set at 11,000 CVE (eleven thousand escudos). Decree-Law No. 6/2014 of 29 January established the national minimum wage and determined that it applies to all employees who are subject to the Labour Code regime, including those for public enterprises, joint enterprises and public capital companies. The non-payment of the amount established constitutes a "serious administrative offence", punishable by a fine ranging from five thousand to 100 thousand escudos. The General Inspectorate of Labour (IGT) is in charge of ensuring the correct application of the law, being the entity competent to carry out the inspection and to organize the administrative offence proceedings. The law also enshrined the principle of revision and update of the minimum guaranteed monthly remuneration, whenever this occurs at the level of the public service or the Social Dialogue Council so decides, taking into account the increase in the cost of living and the productive evolution. However, the weight of informality in the national economy is an impediment to the standardization of the minimum wage.

Data on working conditions

67. According to data from the 2015 Employment Survey, about 50% of employees in Cabo Verde work without any employment agreement. About 31% have some type of contract (7.6% with open-ended contracts, 11% with fixed-term contracts, 12.2% with a

called apparent workers, while 18.7% are (effective) staff of institutions where they work.

68. Regarding the number of working hours, 41.3% of employees work more hours than those established by law (40 to 44 hours per week), especially in the urban area where 64.8% declared to work more than 44 hours per week. It is also observed that 27.2% of the employees work between 30–44 hours a week, 21.2% work 40 hours and the remaining 6% work from 41 to 44 hours.

69. At the national level, only 34% of workers are enrolled in the National Institute of Social Security (INPS), with a higher incidence in urban than in rural areas (45% of urban workers versus 15% in rural areas).

70. The study on Formal Labour Market Assessment conducted in 2010, as well as the World Bank's 2012 study, point to the excessive rigidity of the labour market and the high costs inherent in the hiring and firing of workers, the low propensity of the average worker to integrate the formal labour market by virtue of remittances received, non-valuation of the benefits of formal work, the possibility of receiving social security benefits through family members (in the case of medicine assistance) as reasons preventing entry into the formal market.

71. At the public-sector level, the freezing of admissions, progressions and promotions and the untimely completion of public tenders for this purpose have been pointed out as a violation of the right to professional development. On the other hand, the salaries practised at the public-sector level, which are long outdated and the non-compliance with the 2013 Careers and Wages Plan, instituted by Decree-Law No. 9/2013 of February 26, are the most frequent criticisms.

72. With regard to the national minimum wage, despite the fact that it has been in place since January 2014, many employers continue to pay lower wages. According to data provided by IGT, during the year 2015, violation of the minimum wage constituted 3% of the none compliances verified in the inspections carried out in the same year.

73. With regard to working conditions, hygiene and safety, in particular, the issue of safety is often debated, and there are weaknesses in the monitoring of working conditions, in particular with regard to civil construction. Trade unions complain that legislation is outdated in the construction sector and lack of sensitivity to occupational health issues. The Decree-Law 55/99 of 6 September, which lays down rules on hygiene and health at work, has not been regulated. Although the Labour Code in its article 136 provides for the distribution of personal protective equipment, medical examinations, adequate working conditions, responsibility for the training of its personnel, many do not comply with what the standard provides.

74. Both the trade unions and the IGT point out none compliances with the provisions of labour legislation regarding the length of working hours, the observance of daily breaks and the enjoyment of holidays and the non-payment of overtime. The non-inclusion of many workers in the pension scheme and the none compliance in payments due by employers, the circumstances arising from informal work, without the right to holiday, medical and medicine care among others and with wages usually lower than those in the formal sector.

75. The General Inspectorate of Labour is the central service responsible for overseeing compliance with labour standards. Its staff consists of 20 staff employees, including 1 Inspector General and 7 Inspectors. In 2015, IGT carried out 904 inspections and 98 notifications for non-compliance with labour legislation. The trade sector was the target of the largest number of inspections (44%), followed by the industry sector (18%) and services (17%). The following irregularities were detected: none registration of workers in social (19.1%); non enrolment of workers in the INPS (14, 3%); none delivery of salary receipt (14.1%); excess in working hours (12%); no submission of MQP (12%); lack of means to combat fire (9.3%); violation of the right to vacation (3.2%); violation of the right to weekly rest (2.2%); minimum wage (3%); lack of bathroom (1.5%). Of the irregularities identified, 52.2% of the companies regularized the infringement detected by the force of the notifications, which allowed companies in default to be reduced from 39.6% to 18.9%.

On the other hand, there were 819 requests for intervention which resulted in 717 notifications to companies and 60 administrative offences, and 75% of these interventions were completed. During the year in question 126 administrative offences were filed, less than half of the previous year (266).

Article 8
Right to Union Membership

76. The freedom of professional and union association, and membership in trade unions, as well as the rights of trade unions and professional associations and the right to strike are set out in articles 64, 65, 66 and 67 of the Constitution of the Republic. The creation of trade union associations for the protection of their interests is the free initiative of the workers, not requiring administrative authorization for this purpose. These associations enjoy organizational, functional and internal regulation autonomy and are independent of the State, employer, political parties and religious confessions.

77. Membership and permanence in trade unions and professional associations is, in accordance with Article 65, a free individual choice, with no one being obliged to do so or to pay quotas in associations or trade unions of which he/she is not a member. Trade unions have important rights such as to participate in social consultation bodies, the drafting of labour legislation and the definition of the policy of social security institutions and other institutions concerned with the protection and defence of workers' interests.

78. The signing of collective work agreements is also a responsibility of trade unions, under the legal terms.

79. The right to strike is enshrined in Article 67 of the Constitution, and it is the responsibility of the workers to decide on their realization and the interests to be achieved by it, but in the meantime the issue on the provision of minimum services is regulated by law. The lock-out is prohibited.

80. All the above-mentioned rights are included in the Labour Code. Freedom of association and trade union membership, freedom to join trade unions, the rights of trade unions and professional associations, the right to strike and the prohibition of lock-out are considered basic principles of labour law and are contained in articles 19, 20, 21, 23 and 24, respectively, and constitute collective rights of workers, being dealt with throughout chapter 3 of the aforementioned legal document, from article 67 to 127.

81. Workers may not be discriminated against or in any way be prejudiced in their relations with the employer or in their trade union rights by reason of joining or not a strike. The act of any nature contrary to this provision is null and void (Article 119 of the LC).

82. During the strike, workers must provide the necessary services for the safety and maintenance of equipment and facilities, so that, once the strike is over, the activity can be resumed with normality.

83. In companies or establishments that are designed to meet essential social needs, workers must ensure during the strike the provision of the minimum services that are indispensable to meet the needs. To this end, companies or establishments which are considered of meeting the essential social needs the ones such as postal and telecommunications services, health services, meteorology and justice, funeral services, water supply and sanitation, energy and fuel supply, fire services, transport, ports and airports; loading and unloading of deteriorating livestock and food, banking and credit, private security (Article 122). The determination of the minimum services is made by agreement between the employer and the workers or their representatives, without prejudice to the provisions regarding the civil requisition. In the absence of agreement between the parties, it is the Government's responsibility to define the scope of the minimum services (Article 123).

84. In case of non-compliance with the minimum services, under the terms of the previous articles, the Government may determine the civil requisition, under the applicable legislation.

85. The exercise of the right of trade union and professional association is established in the Cabo Verdean labour practice, and there are no reports of violations of it. On the part of the trade unions, there have occasionally been accusations, already submitted to the International Labour Organization, for alleged violation of the right to strike, as in some circumstances the Government has decreed civil requisition to guarantee minimum services.

86. The Constitution, in line with the importance it grants to the participatory aspect of democracy, establishes the existence of an Economic, Social and Environmental Council, in the nature of a consultative body for concerted action on economic, social and environmental development, including a Regional Development Council, a Social Dialogue Council and a Council of Communities, the latter in the nature of an advisory body for matters relating to Cabo Verdean communities abroad. The Organic Law of the Economic, Social and Environmental Council has not yet been adopted, therefore, three of its main components are still autonomous: the Social Dialogue Council, the Community Consultative Council and the National Environment Council.

87. The Social Dialogue Council, created by Decree-Law No. 35/93 of 21 June, subsequently amended by Decree-Law No. 5/97 of 03 February and Decree-Law No. 8/2008 of 24 November, is an advisory body of tripartite composition with the task of contributing to the policy harmonization at economic, social, employment, labour relations, salary and concertation of interests between the State, workers and employers level.

88. The lack of institutional empowerment of employers, especially trade unions, has been highlighted as constraints to the functioning of social concertation, as well as the financing of the activities of the Social Dialogue Committee financed exclusively by the State, which is one of the largest employers in the country.

Article 9
Right to Social Security

89. The Constitution of the Republic, in its article 70, stipulates that everyone has the right to social security for protection in unemployment, illness, invalidity, old age, orphanhood, widowhood and in all situations of lack or diminution of means of subsistence or of capacity and it is up to the State to meet the conditions necessary for the enjoyment of this right by all citizens.

90. As regards infra-constitutional legislation, the main instruments are the Labour Code, the Civil Service Basic Law, Law No. 42/VII/2009 of June 27, the Basic Law on Social Protection, Law 131/V/2001 Decree-Law 5/V/2004 on the General Regime for Social Protection for dependent employment, Decree-Law No. 40/2006 of 10 July, which included public officials in the social security system and Decree-Law No. 48/2009, which determined the extension of the scope of the self-employed worker scheme.

91. Three areas of protection are established: the safety network, compulsory social protection and supplementary social protection. The safety network is based on national solidarity reflecting a distributive character and covers all the resident population who are in a situation of lack or reduction of means of subsistence and cannot fully assume their own protection. Compulsory social protection presupposes group solidarity, is commutative, based on a logic of insurance, and covers dependent and self-employees, and their families, and protects them in situations of illness, maternity, work accidents and occupational diseases, invalidity, old age and death. Complementary social protection is based on a rationale for insurance, it is optional and aims to strengthen coverage under the regular scheme.

92. Social security covers two systems: the contributory, which presupposes contributions during a guarantee period, managed by the INPS (an institution created in 1991, whose statutes were approved in 1994 by Decree-Law No. 61/94 of 21 November) and the none contributory (CNPS), without the presupposition of a prior contribution requiring the verification of the financial condition which aims to meet the needs of the most vulnerable groups in Cabo Verdean society. Decree-Law No. 2/2006 of January 16 also created the Social Assistance Pensioners Mutual Fund, which was implemented to

subsidize the purchase of medicines to private pharmacies, up to the annual maximum limit of 2.500 CVE. The Mutual Health Fund also grants a funeral allowance of 7.000 CVE.

93. The monthly contribution of employees is fixed at 23% of the remuneration earned, of which 8% is charged to the worker/employee and 15% to the employer. It must be paid by the 15th of the month following the reporting period. The default situations are sanctioned in accordance with the legislation in force. In the case of self-employed workers, the contribution rate for Social Security is 11% or 19.5% depending on the protection scheme chosen by the worker, whether restricted or extended, the former being different from the latter because it only covers the disability, old age, survival and administration, while the latter includes sickness and maternity.

94. Decree-Law No. 15/2015, dated March 5, 2016, established the legal regime for granting the unemployment benefit, with the National Institute of Social Security (INPS) being responsible for administering the mentioned benefit and the Institute for Employment and Vocational Training (IEFP) is responsible for the management of active employment measures. The unemployment benefit will have the workers' contribution, by increasing the contribution rate to the INPS by 0.5% and from the employer, with the rate increase by 1.5%. The INPS in turn will contribute with a rate of 1.5%.

95. Although the regime was published and was expressly established to be in force from April 2016, it is suspended due to the lack of regulation of matters inherent in the legislation itself, with the unions and INPS having reached an understanding at the last meeting of social dialogue held in October 2016 to extend its allocation to 2017.

96. The right to unemployment benefit is granted to insured persons who are involuntarily unemployed (termination with just cause at the initiative of the insured person, when the ground relied on by the employer is not a just cause for a fact attributed to the insured person, expiry of the indefinite contract by granting of old-age pension, permanent disability and work-related injury or occupational disease). In order to benefit from this right, the employee must have worked for another person for at least 180 days under an employment contract concluded under the Labour Code, by means of an application filed at the INPS. The monthly amount of the unemployment benefit may not exceed two and a half times the minimum monthly salary and not exceed the remuneration which served as the basis for calculating the said benefit, and its attribution shall be established according to the age of the insured person and the number of months with registration of remunerations in the period immediately preceding the date of submission of the application.

97. The State of Cabo Verde promotes the conclusion or accession of international agreements with the aim of guaranteeing, on a reciprocal basis, the rights of Cabo Verde citizens who work in or move to other countries, as well as the conservation of rights acquired while studying, when they return to Cabo Verde. It includes in particular, the "Convention on Social Security between Cabo Verde and Portugal", which guarantees interlinking channels between the social security systems of both countries which allow the mutual assistance of their nationals when they have been displaced in the territory of the Contracting Parties provided that the situation in the country is legalized and they have valid Work Contracts.

Public policies on social security

98. In order to ensure universality, greater social justice and sustainability of the system, a deep reform of social protection is under way. The revision of the Basic Law on Social Protection, Law 131/V/2001 of January 22, constitutes a decisive milestone for achieving this aim, based on a permanent system structured in three levels: safety network, compulsory social protection and supplementary social protection, managed by insurance companies, associations and similar entities. In the context of the expansion of the social protection system, the foundations of the self-employed scheme were made more flexible by Decree-Law No. 48/2009, which enabled independent workers to be registered regardless of their qualifications, income or area of activity. It should be noted that this is based on own and autonomous parameters of management in relation to those of other workers.

99. Domestic service workers were also included in this regime established by Decree-Law No. 48/2009 and constituted another gain of the system. It covers the maids, the security guards, gardeners, among others. This group until then was excluded from the enjoyment of rights with regard to social security and the exercise of other labour rights. It should be noted that it is a job mainly performed by women (in 2015 about 92% and being the third niche of women's employment).

100. The integration of civil servants into the social security system, by Decree-Law No. 40/2006 of 10 July, under the social protection scheme for dependent employment, is also an important gain in terms of social protection in Cabo Verde. Of note is the inclusion of 15,000 civil servants under the social security scheme for dependent employment.

101. The institution of the non-contributory system is another achievement of the country in relation to the National Social Security System. The aim is to strengthen the basic social security network for poor people at risk and/or in a situation of social exclusion. In this context, Decree-Law No. 24/2006 of March 6 establishes the social pension, which has 3 modalities: basic pension, disability social pension and survivor's social pension and aims to guarantee to all those who are not integrated into any social protection system the minimum conditions for a more dignified existence. The beneficiaries are mainly the elderly, chronically ill, persons with disability or invalidity, former FAIMO workers (a public works program — High Intensity Manpower Fronts, which in times of hardships would allow people in poverty to access an income).

102. The social pension of the non-contributory system covers 21,198 people, which corresponds to 43% of the population aged 60 or over. The social pension for the elderly covers 17,030 people, for invalidity 3,997 people, and for the survival of the spouse 171 people. Women represent 70.2% of the beneficiaries and men 29.8%. Women constitute the majority of beneficiaries in all three types of social pension, but especially in the case of the elderly, reflecting their most vulnerable situation. Women in this age group are not only the majority of the population, but also as they have been less integrated in the labour market than men or integrated in an informal labour context, they have had less access to the contributory social security system.

103. The amount of the monthly instalment has evolved over the years. It was 1,200 CVE in 2000 and went to 3,000 CVE in 2006, when the program costs were over 790,058,000 CVE/year. Subsequently it became 4,500CVE (by mandate granted by Decree-Regulation No. 22/2009) and it is currently 5,000 CVE.

104. The National Pension Centre was created through Resolution No. 6/2006, of January 9, started operating in the second half of 2007 and is the entity in charge of the management of the non-contributory subsystem.

105. Improvements were also introduced at the level of benefits, with the ceiling for the income of beneficiaries of the family allowance being set as the ceiling of the minimum remuneration foreseen in the PCCS of the Civil Service, and the range of benefits extended. It is worth highlighting the contribution to the physiotherapy care by Ordinance No. 29/2006, regulated by Ordinance No. 23/2004 of August 9. The table of contributions in the care of stomatology and dental prostheses and provision of prostheses and orthopaedic appliances and other compensation devices to the insured persons and beneficiaries of the Social Protection System was approved by Ordinance No. 24/2004 of August 9.

106. The Government Program for the IX Legislature points to a legal framework of social protection aimed at extending coverage to all categories of population not yet covered, taking into account the high level of informality in the economy that prevents the use of traditional retention mechanisms and contribution. It also proposes, among other measures, the creation of a National Social Security Council composed of all those involved in social protection and with the function of coordinating the policies and actions developed by the various entities; the creation of a Pension Fund, staffed by professional personnel in fund management, separating pension management from other benefits; the implementation of the Unemployment Fund aiming to assist workers in the unemployment situation for a certain period of time; the extension of the provision of health care to private persons through agreements with the INPS, the development of inclusive social security

systems, occupational accidents and unemployment insurance and the promotion of formal and informal social inclusion and protection systems for vulnerable families.

107. Recently, in terms of social security, the International Labour Organization has identified Cabo Verde as a "successful experience of a country in the expansion of social protection", with the same organization saying that the country is now one of the most advanced nations in Africa in terms of implementing a social protection floor, by taking two essential steps towards a universal pension system: the creation of the National Social Pension Centre (CNPS) in 2006 and the unification of existing non-contributory pension programs. This unified regime ensures a basic security of income for the elderly over 60 years old, people with disabilities and children with disabilities living in poor families.

Social security coverage

108. Approximately 227,439 people are covered by the National Social Security System, of which 206,241 are in the contributory subsystem and 21,198 in the non-contributory system.

109. At the end of the year 2015, Compulsory Social Protection covered 39.5% of the Economically Active Employed Population and 34.6% of the total Economically Active Population. The coverage of the social protection system in relation to the resident population in Cabo Verde reached 39.3%. In the last five years, the social protection coverage rate stood from 34.6% to 41%, with fluctuations over this period.

110. In 2015, active taxpayers totalled 7,250, of which 57% belonged to the General Regime and 22% to the Self-Employed Regime. The remaining 21% is distributed to Domestic Taxpayers (15%), Public Administration (4%) and REMPE (2%).

111. In the same year, the total number of active insured persons was 76,785, of which 64% were in the General Regime, 32% in Public Administration, 2% in Self-Employed Workers and 1.6% in Domestic Service. It should also be noted that, in view of the implementation of REMPE, 0.4% of insured persons were included in this scheme.

112. The active insures persons are mostly men, whose percentage is around 54%. The trend is the opposite for those insured persons within the Domestic Service (activity carried out mainly by women) and REMPE, where the percentage of women is 95% and 65%, respectively.

113. The beneficiaries of the General Regime represent a weight of 61% of the total beneficiaries of the system and grew by 3.8% compared to the year 2014. In its turn, the beneficiaries of Public Administration account for 28.5% of the total effective beneficiaries and increased by 1.8% over the previous year. As for the beneficiaries of the Domestic Service Professionals Regime, there is a slim weight, 0.8% of the total number of those with an open right, with a negative variation (-15.8%) when compared to the figures for 2014. The Self-Employed Worker Regime represents approximately 2% of the total number of beneficiaries of the System, and, in the year under analysis, it grew by 3.8%.

114. In the year 2015, the declared contributions reached the amount of 7,874.3 Million CVE, obtaining an increase of 5.5%, when compared to the registration of the declarations of the year 2014. As for the contributions effectively collected, they increased by 10%, reaching the amount of 7,643.6 Million CVE. The social benefits granted to the beneficiaries reached the value of 3,619.5 Million CVE. With regard to family allowances and supplementary benefits, they account for 7% in the structure of the expenses with benefits, and recorded a negative variation of (26.8%) compared to the previous year.

115. At the end of 2015, pensioners in the Social Security system totalled 6,077 beneficiaries with active rights. Old age and disability pensioners contributed to the increase.

116. As regards the non-contributory subsystem, women account for 64.8% of the total beneficiaries, of which more than half are women from rural areas. In the case of basic pension aimed at persons aged sixty or over, this figure amounts to 68%. In the case of invalidity pensions for persons aged eighteen or over, women account for close to 61% of

the beneficiaries. The benefits covered are medical and medicine assistance, funeral and others, in addition to cash benefits.

Article 10
Protection of the Family

117. The Constitution of the Republic devotes several articles (7, 82 and 87 to 90) to the regulation of family rights, considered as the base of society and as such, deserving special attention and protection by society and public authorities as a way of ensure its stability and enable it to fulfil its social function. With regard to children, the right to special protection of the family, society and State is provided for, aiming at protecting them from all forms of discrimination and abuse, thus ensuring their full development. The work of children under compulsory school age is prohibited.

118. The right to marry is framed within the range of fundamental rights (rights, freedoms and guarantees) enshrined in the Constitution.

119. The family occupies a prominent place in infra-constitutional legislation, being present both in the Penal Code, in the Code of Civil Procedure, in the Civil Code, Labour Code, in the Statute of the Child and Adolescent, approved by Law No. 50/VIII/20013, of 2 December and in the Law on Socio-educational Measures, among others.

120. The constitution of a family is given under the law in force by marriage (voluntary union between two persons of different sex who intend to constitute the family through a full communion of life) or by a non-marital cohabitation (union man and woman in communion of bed, table and housing in conditions of stability, uniqueness and seriousness typical of marriage), as stipulated by the Civil Code.

Data on households in Cabo Verde

121. From 2000 to 2010, the number of Cabo Verdean families increased from 93,975 to 117,493, of whom 77,589 (66%) live in urban areas and 39,904 (34%) in rural areas. The average size of households is of 4.2 persons. Female-headed households make up 48.1%, according to the 2010 Census, and 51.9% by men.

122. As mentioned in paragraph 20 of the common core document, single-parent households represent 14% of all households in Cabo Verde. The majority of the single parent households has a female representative and 26% of households where women are the representative are single parent. The composite non-marital households account for 24% of all households in Cabo Verde. These households are also largely represented by women.

Special protection in maternity

123. The Labour Code reserves 6 articles to the subject. Maternity protection (Article 270), maternity leave (Article 271), dispensation for medical visits (Article 272), dispensation for breastfeeding (Article 274), special leave for risky pregnancies (Article 273), protection against dismissal (Article 275), and it is always assumed the dismissal of pregnant women, all rights included in this scope, is unjustified. Maternity leave has a duration of 60 days, below the appropriate minimum considered by the ILO of 14 weeks, and entitlement to a corresponding allowance, including 45 days for the private sector and 60 for the public, which constituted a situation of extreme injustice for women assigned to this first sector. There is also a paternity allowance, which will be granted to the child's father in case of death or physical or mental incapacity of the mother. The same happened to breastfeeding leave, which were 30 minutes in each of the work periods, while in the public sector it was 45 minutes. Women receive the full amount of their salary that will be paid by the employer and by the social security service. The law also includes a breastfeeding allowance. The Labour Code does not provide for paternity leave. Absences are considered justified, up to 3 days on the occasion of the birth of the child.

124. Here, the major problem is the existing precarious labour situation, with a high incidence of informal work, preventing many women from enjoying these rights. A

significant step has to do with the regulation of domestic work. However, here too the big problem has to do with safeguarding and effectively compliance with the legislation.

Child protection

125. The norms that make up the national legal framework for children's rights are based on the United Nations Convention on the Rights of the Child dating from 1989, ratified by Cabo Verde by Law No. 29/IV/91 of 30 December 1991, and based on three internationally accepted principles of International Children's Law, namely, the best interests of the child, the principle of the participation of children and the principle of the gradual empowerment of children. The country has ratified the main international instruments in this area, as described in the Periodic Report on the Convention on the Rights of the Child, submitted early 2017 (paragraphs 6 and 7).[4]

126. The regulation on children's rights is provided in the constitution by combining its Articles 74 (Children's rights), 75 (Rights of the youth), as well as those relating to the Family (Articles 82 and 87–88), paternity and maternity (Article 89) and child care (Article 90) which apply indirectly to children. In terms of ordinary legislation, children's rights find translation/protection in norms such as the Penal Code, the Code of Civil Procedure, the Civil Code, the Labour Code, the Statute of the Child and the Adolescent, and the Law on Socio-educational Measures, among others. The Law of Voluntary Decriminalization of Pregnancy up to 12 weeks — Law No.7/87 of February 14, the Basic Law of Health, Law No. 41/VI/2004 of April 3 that guarantees universality and quality of access to services Law No. 271/V/97 which prohibits the sale and supply of alcoholic beverages to minors and their advertising.

Data on children

127. In 2015, according to the 2010–2030 Demographic Projections prepared by the National Institute of Statistics, the population of children and adolescents represented 35% of Cabo Verde's population: out of a total of 524,833 inhabitants, 184,444 are under 18 years old. Children represent 23.5% of the population (123,143 children aged 0–11 years) and adolescents 11.7% (61,301 adolescents aged 12–17 years). The children and adolescents in Cabo Verde are 49.6% girls and 50.4% boys.

128. Education and health indicators in this age group can be considered satisfactory.

129. School enrolment rates have been increasing steadily, with no significant gender differences, and it should be noted that secondary education is even disproportionate in favour of girls. Universal primary education was assured since 2000: more than 90 out of every 100 children between the ages of 6 and 11 attend primary school and 94 in every 100 school-age children complete the last year of this level of education (6th year). The literacy rate for young people aged 15–24 years was 97.8% in 2010, which means an increase by 8.7 percentage points compared to 1990.

130. In the field of health, there have been significant improvements in the various indicators relating to child care and reproductive health, with decrease in child mortality rates, overall mortality, and increase in vaccine coverage, family planning and overall health care, despite of maternal mortality recorded a significant variation rate from year to year.

131. The nutritional status of children has improved substantially: the rate of underweight children under 5 years dropped from 13.5% to 3.9% between 1990 and 2009 (these being

[4] Optional Protocol to the CRC on the Sale of Children, Prostitution and Child Pornography, Optional Protocol to the CRC on the Involvement of Children in Armed Conflict, African Charter on the Rights and Welfare of Children (1993), Declaration on the Millennium Development Goals (2000), Convention on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, Recommendations of the 6th World Conference on Health Promotion (2005), Resolutions of the Conference of Ministers of Health of the African Union (2007), African Youth Charter of the African Union (February 2010), ILO Conventions 138, 182 on Minimum Age for Child Labour and Worst Forms of Labour, The Hague Convention on International Adoptions, Optional Protocol to CEDAW.

the most recent data available). Chronic malnutrition, which affected 16% of children under 5 years in 1994, changed positively, by decreasing to 9.7% in 2009. The same trend occurred for acute malnutrition, which dropped from 6% to 2.6%.

132. Although the legal framework may be considered to be in favour of children's rights and visible achievements in a number of areas, such as health and education, including denunciations of abuse of children's rights, situations of neglect, abuse, physical and sexual abuse (violence), child labour, are often reported, a situation that is not confined to large urban centres and is closely linked to the weak socio-economic conditions of families. Indeed, the realization of children's rights depends on the improvement of their own living conditions. Children are the population group most affected by poverty in Cabo Verde.

133. One of the serious violations that occur in the country regarding the rights of children has to do with the right to the name, as embodied in the Civil Code, which, despite not having constitutional support, is of paramount importance because of it depends the enjoyment of all other rights, such as the right to education and health, for example. Despite awareness-raising campaigns, data from the Multi-Purpose Continuous Survey (2013), in relation to family practice, shows that about 8% of children aged 0–6 years have not yet been registered. It is worth mentioning that this happens especially among children under one year of age, indicating late registration practices: about 28.4% of children under one year are unregistered, with only 1.4% of children aged between 5 to 6 years. There is a difference of about 3.5 percentage points between rural and urban areas: 6.7% of children aged between 0 to 6 years in urban areas do not yet have a record, which is the case with 10.3% of the rural population. There was a difference of 2 percentage points between the registration of boys (7.1%) and girls (9.1%). Since 2005, the Ministry of Justice has developed the "Registration at Birth" project in which the intervention axis is to modernize the registration system with the aim of improving access to this important public service by the population.

Child labour

134. Child labour is another serious threat to the realization of children's rights and their full development.

135. The Constitution of the Republic of Cabo Verde under article 74 stipulates that children have the right to protection of the family, society and public authorities in order to allow for their integral development and expressly prohibits the exploitation of child labour. Protection which is also enshrined in the CRC and the conventions on the minimum age for access to employment and the worst forms of child labour. The under-constitutional legislation, more specifically the Labour Code, stipulates that no child may work before completing compulsory school age and in any case before the age of 15 and that employers must verify that children are physically able to perform the tasks and submit them to a health exam on annual basis.

136. Data from the survey on child labour (data collected in 2012) show that 10,913 children between the ages of 5 and 17 are engaged in economic activity, representing around 8% of all children. Boys predominate (63% of children who engage in economic activity), which means that 9.6% of boys between 5 and 17 years of age carry out an economic activity and 6.3% of girls. By age group, only 2.8% of children aged 5 to 11 years are in this situation, 10.5% of those aged 12 to 15 years and 17.8% of those aged 16 to 17 years.

137. Economic activities are mainly carried out by rural children (14.2% of rural children aged 5 to 17, 3.7% for urban children in the same age group). In particular, they perform activities in the agricultural and fisheries sectors (75%), which mainly involve boys from rural areas, while girls predominate in domestic work. The vast majority of children (84.5%) are active in helping their families in family businesses or farms, especially in agriculture and livestock farming.

138. Worth mentioning that children who performed household chores without family ties with the household representative constitute about 11% of the children in employment. The majority of children engaged in a domestic activity go to school, but 1 in 5 children (22%) does not, with the highest proportion for girls (29% as opposed to 18% among boys).

Approximately 70% of activities carried out by children were considered to be dangerous and to be abolished.

139. Overall, the proportion of children in the population that has an activity to be abolished is 8.2% among boys and 4.4% among girls. The study did not, however, address the worst forms of child labour, (use of children for prostitution and illicit activities, notably, in the production and drug trafficking, as defined under international conventions. About 58% of children engaged in economic activity live in households with low or very low comfort levels, and the proportion is higher in female-headed households (7.5% vs. 5.4%), in particular in the case of the islands of Santiago (except Praia) and Fogo/Brava.

140. In March 2016, the National Committee for the Prevention and Elimination of Child Labour (2013) was approved by the Legislative Decree No. 113/VIII/2016 and earlier in 2013, the National Committee for the Prevention and Elimination of Child Labour — PETI was created, promoted under the IPEC/ILO "Prevention and Elimination of Child Labour in West African Countries" project. The CNPETI is composed of 30 institutions, in a four-part composition (Government, representation of workers, employers and civil society).

141. In this scope, two studies on child labour were carried out in 2007 and 2013/2014.

Violence in the family

142. The Constitution of the Republic of Cabo Verde states in its article 81 that the law punishes domestic violence and protects the rights of the whole family. This constitutional command was fulfilled by the Penal Code, namely through the type of mistreatment of the spouse and in the GBV Law, which gives a specific treatment to Gender-Based Violence (GBV) understood as "any manifestation of physical or psychological violence, resulting in offence to physical integrity, sexual freedom or coercion, threat, deprivation of liberty or harassment, based on the construction of unequal power relations, in particular by the economic, social, cultural or any other ascendant of the aggressor in relation to the offended person".

143. The practice of the GBV crime is defined as all manifestations of physical, psychological, sexual or patrimonial violence, provided that the abuser's unequal power relation to the victim is manifested and that there is at the time of the aggression or in the past moment a relationship of intimacy, affectivity, marriage or situation analogous to marriage encompassing, (i) domestic relations such as violence between people living in the household, living in the same house, whether they are family members or simply household members (e.g. violence between husband and wife or between ex-husband and ex-wife, violence between de facto or ex-de facto union, whether or not this union is recognized, violence between parents and children, against children, etc.); (ii) relationships within the family, such as violence between family members, whether relatives (parents, children, nephews, grandchildren, siblings, cousins, etc.) (e.g., a father-in-law, son-in-law, daughter-in-law, etc.) or simply family members by express will (e.g., those minors who have custody) and iii) any intimate relationship of affection — intimate relationship of affection, regardless of whether they lived together or not, regardless of cohabitation (e.g., violence between the father of a child and mother of a child, violence between boyfriends or ex-boyfriends, violence between homosexual couples, etc.).

144. The Penal Code in force in Cabo Verde, in the chapter on crimes against persons, also provides for the so-called sexual crimes (sexual assault and sexual abuse of minors). Penalties for these crimes will be aggravated if the victim is an ascendant or a descendant, or he/she is under the authority of the agent.

145. The country has adopted two national plans to combat gender-based violence, which corresponds to a systematic framework for action. The measures implemented following the approval of the National Plan to Combat Domestic Violence includes in particular the various actions to train the different stakeholders for the implementation of the GBV Law, including national police, magistrates, lawyers, health staff and various stakeholders of the education and civil society. In addition to the training sessions themselves, instruments such as specific standard operating procedures for the Police and Health professionals, an annotated version of the GBV Law, and specific manuals of good practices for education (Education for equality and non-violence) and the media were developed.

Trafficking in persons

146. Under the Merida Convention (Articles 15, 16, 17 and 19) and the Palermo Convention (Articles 8 and 10) and Protocols thereto (Additional Protocol to Prevent, Repress and Punish Trafficking in Persons, especially Women and Children and the Additional Protocol against the Smuggling of Migrants), trafficking in persons was criminalized in the last revision of the Criminal Code of Cabo Verde in 2016.

147. Trafficking in persons for sexual exploitation also merited protection in the new Code of Criminal Procedure. The code provides for the crime of "solicitation a minor to engage in sexual intercourse abroad", consisting of solicitation, transportation, lodging or receiving of children under 16 years of age, or favouring the conditions for the practice in a foreign country of sexual acts or prostitution.

148. Law No. 66/VIII/2014 of 17 July, which defines the legal regime for entry, stay, departure and removal of foreigners from the territory of Cabo Verde, also contains provisions relevant to trafficking in persons and exploitation of immigrants. The law provides for a special temporary residence permit for victims of trafficking or labour exploitation, which will also help ensure that perpetrators are punished (victims are key witnesses). Subsistence and urgent medical treatment should be ensured for victims who lack the means. In repatriation situations, the special needs of vulnerable individuals, specifically children, persons with disabilities, the elderly, pregnant women and victims of torture, sexual assault or other severe forms of psychological, physical or sexual violence, repatriation decisions must be communicated to the CNDHC, which will monitor its implementation in compliance with human rights standards, particularly in the cases mentioned above. The law also provides for measures to combat, prevent and repress human trafficking.

149. The country does not have a national plan to combat trafficking in persons, but this matter has deserved the attention from the national authorities. In 2014, the Ministry of Justice, in partnership with UNODC, organized a seminar on the subject with a view to collecting inputs to enable Cabo Verde to make rapid progress in preventing and repressing this crime.

Public policies on family/child care

150. The main strategic and operational planning tools put these issues at the centre of their concerns. However, the lack of an integrated family and child care policy in Cabo Verde, with the combined support of various sectoral stakeholders, is one of the major obstacles to the quality of public policies developed in this area. The weaknesses in terms of the human and material resources of the institutions responsible for their materialization and the increasing social complexity, with repercussions on families as an institution, pose additional challenges that need to be addressed.

151. In 2011, the 2011–2015 National Action Plan for the Promotion and Development of the Family was prepared. Its strategic axes include creating a favourable social, legal and institutional environment, strengthening institutional capacity to respond to family and the promotion of their access to knowledge, education and capacity; and strengthening their economic capacity. The plan also outlines national family policy strategies, promoting health and family well-being, improving the level of comfort and well-being, promoting social integration, and establishing strategic alliances and partnerships for family issues. The public body responsible for coordinating and implementing the national policy on children and adolescents, in conjunction with the sectors, is the Cabo Verdean Institute for Children and Adolescents (ICCA). At the municipal level, this protection is provided by the Municipal Committees for the Protection of Children's Rights, which operate under the coordination of the ICCA and the municipal delegations of the Institute and other structures such as the Child Emergency Centres, the Social Protection and Reintegration Centres, the Reception/Day-care Centres, Network of Host/substitute Families, Nôs Kaza Project Centres.

152. The system of protection for children victims of violence and neglect is integrated by the services assigned or coordinated by the above-mentioned Institute, but also by the Health Delegations, National Police and Judicial Police, Attorney General's Office,

Directorate General of Tourism, within the framework of an Inter-Institutional Network on Prevention, Protection and Fight against Sexual Abuse and Exploitation of Children and Adolescents, created in 2007, by that body. The Child Emergency Centres are intended for the temporary reception of children at risk, aiming at their reintegration into the family. There are 3, one in Praia, one in São Vicente and one in Santo Antão, which have capacity to accommodate 50 children, from 0 to 12 years. In 2005, the "Substitute Families" Program was also implemented to accommodate these children in municipalities where there are no Emergency Centres, a means to respond in a humanized way to the needs of children at high risk.

153. In a joint initiative of ICCA, UNICEF and PJ, well-equipped facilities were set up in the Health Delegations of Praia, São Vicente and Sal, aimed at providing care for children who were victims of violence in order to preserve the privacy of children and to minimize their suffering (Social Protection and Reintegration Centres). As a supplement, the line disque denuncia — 800 10 20 was launched, which is an anonymous, free and confidential customer and guidance service.

154. The Child and Adolescent Statute (ECA — Law 50/VIII/2013), approved in 2013, is an important instrument to defend the rights of children in Cabo Verde. As mentioned earlier, the instrument gathers all legislation on children and adolescents in a single instrument and is based on a perspective of building full autonomy for children and adolescents, highlighting the responsibilities that families, institutions and policies have in this area.

155. Worth mentioning in the field of public policies on youth, the creation of Youth Centres and telecentres, where various services are provided to young people, promotes citizenship, youth associations and the empowerment of young people towards active participation in life of their communities. In this context, it is important to emphasize the creation of the Volunteer Program, the creation of the volunteer's passport, with the consecration of a set of rights and duties of youth, aiming at encouraging civic participation. The youth card is another policy measure aimed at this segment of the population.

156. The fight against child labour requires the development of concerted strategies between institutions responsible for labour inspection, but also work to raise awareness among families and schools about children's rights and the importance of harmonious growth.

157. The fight against violence, especially for young people, involves combating the structural causes of the phenomenon, that is, combating social inequality and exclusion, in order to guarantee young people equality of opportunity and personal fulfilment, not merely investment in strictly security strategies and repressive measures, the review of legal measures applicable to young people in conflict with the law, including socio-educational measures, much demanded by the population, which, however, often contribute to reinforcing the stigmatization of these young people and lead to the reproduction of these deviant behaviours. In addition to actions to improve the working conditions of police agencies, the increase in the number of staff, awareness-raising campaigns have been carried out to promote a culture of peace and non-violence, campaigns to disarm the population voluntarily and the dismantling of arms manufacturing and supply networks, within the framework of the activities of COMNAC, National Commission for the Control of Small Arms and Light Weapons, created by Council of Ministers' Resolution No. 33/2008 of 29 September of 2008. A green hot line for the denouncing possession of small arms has recently been launched, the number 800 13 13.

Article 11
Living Conditions

A. Right to constant improvement of living conditions

158. As mentioned in paragraphs 24 and 25 of the common core document, poverty in Cabo Verde has been dropping. Cabo Verde tracks both relative poverty and absolute poverty. The absolute poverty line is defined in terms of the minimum necessary requirements for non-food and food survival (based on the cost of a basic food basket, which covers minimum recommended energy requirements). In 2015 the poverty line corresponded to 97.507 CVE per year in the urban area 82.428 CVE per year and in the rural area. The extreme absolute poverty line corresponds to 50.148 CVE per year in urban areas and 49.591 CVE in rural areas in 2015. Relative poverty is defined with reference to the median income/consumption of the population, giving an indication of who has a much lower standard of living than the standard of living of other families in the country.

159. Poverty reduction is an integral part of the development process, and Cabo Verde has already implemented three Growth and Poverty Reduction Strategy Papers: DECRP I (2004–2007), DECRP II (2008–2011) and DECRP III (2012–2016). The new framework for development, the Strategic Plan for Sustainable Development (PEDS, 2017–2020), is under preparation.

160. The National Program for the Fight against Poverty (PNLP) has been in recent years especially aimed at reducing poverty in rural areas, with focus on the agricultural islands, where the poverty rate is substantially higher. The current program covers the time period from 2013 to 2018. The results of the previous program indicate that 37,917 people have benefited, representing roughly 30% of the rural poor population (estimate based on data from IDRF 2001–2002). The male beneficiaries totalled 18.528 and the female beneficiaries 19,389, representing around 51% of the beneficiaries, taking into account the preponderance of poverty among women, in particular the households represented by women. Interventions include access to basic social services (education, housing, water and sanitation, electricity, community infrastructures), integration interventions in the economy (vocational training, support for income-generating activities) and capacity building of development associations in the fight against poverty. In the ongoing cycle of the Program against Rural Poverty, gender mainstreaming is being strengthened and the program management team has been equipped with a Gender and Animation Unit.

B. Right to food

161. Food is a fundamental human right and the realization of this right presupposes the existence of food security, that is, the availability of nutritional, biological, health and technological quality food, as well as physical and financial access to them. Since 2007 Cabo Verde has been discussing and integrating the principle of the Human Right to Adequate Food in the food and nutritional security policies. In January 2017, a preliminary assessment was prepared at the meeting of the National Council on Food and Nutrition Security, which should provide the necessary elements for the preparation of a draft law on the human right to adequate food, while a working group has been established and the terms for the drafting of the respective law defined.

162. Hunger is not a mass phenomenon in Cabo Verde, as sectoral studies and reports indicate. However, the country is faced with a structural problem of food insecurity, which constitutes the greatest threat to the realization of this right. Poor productive capacity resulting from adverse natural and climatic conditions coupled with serious transportation problems, which limit the regular and timely supply of islands, and the persistence of large population groups living in poverty are some of the factors that are at the root of this inability of the country to meet its needs in terms of essential food goods, importing about 80% of them.

163. Data from the Survey on Vulnerability of Rural Area Families in 2010, pointed to a 68.5% food security rate, not evenly distributed in the country, being 85.1% in Boavista

and 62.9% in Santo Antão, for example. Food insecurity affected 20% of the population, of which 7.2% were in a situation of severe food insecurity. Food insecurity was highest in the island of Santo Antão (26.3%) and lowest in São Nicolau (11.7%). The risk of food insecurity was 11.4% at the national level, 11.7% in Santiago and 3.1% in Boavista, where the lowest value is recorded, particularly affecting people from the most disadvantaged groups of the population.

164. The liberalization of basic food prices, by Ordinance 12/2000 of 12 June, in a context of marked volatility in food prices, and a decrease in food aid (15% of imports), contrary to the assumption, had no negative impacts. The analysis of food availability in recent years shows that there are no supply problems with regard to basic foodstuffs, despite the fact that supply problems persist at local level because of the aforementioned deficiencies in the field of transportation.

165. The fight against food insecurity has been a priority in terms of public policies. The 1997–2000 National Development Plan set food security policy objectives as the guarantee of the availability of food, the stability of the prices of essential products and the access of all citizens to food.

166. In 2001, the National Agency for Food Security (ANSA) was created, as the agency in charge of regulating the market of essential goods, performing the functions of monitoring and planning of the food situation, management of food aid, enforcement of sectoral legislation, and others in support of policy-making for the sector. In the same year, the country began the process of elaborating the first National Food Security Strategy (ENSA), which was subsequently approved for the period 2002–2015, as part of the overall strategy to promote good governance and the country's growth and development.

167. Nutrition and school health programs have been developed with the support of various partners to address children's nutritional deficits as described in paragraphs 218.

168. ENSA's strategic lines were incorporated into the different policy documents that emerged shortly thereafter, such as the National Strategy for Growth and Poverty Reduction (I, II and III), the Strategic Plan for Agricultural Development (PLDA 2004–2015), the National Plan for Agricultural Investment (PNIA 2011–2015), among others. In 2014, ENSA was evaluated and updated in 2020 and the new three-year program was prepared (PANSAN 2014–2017).

169. In 2005, according to the guidelines of ENSA, the National Council for Food and Nutrition Security (CNSAN) was created, an advisory body whose purpose was to ensure the articulation of policies and cooperation between national public or private organizations or organizations that directly or indirectly intervene in the field of food safety. In 2013, the new organization of the Ministry of Rural Development establishes the structure, organization and operating norms of the new National Council for Food and Nutrition Security (CNSAN) and the former Directorate of Food Security Services has been transformed into a National Secretariat for Food and Nutrition Security, with the mission of developing studies and providing specialized technical support in the design, planning, elaboration, implementation and follow-up of policies in the field of food and nutrition security, in particular in the definition of strategies, regulation and development of cooperation for the establishment of aids, partnerships and alliances with national and international organizations for the development of programs.

170. Quality issues have become increasingly important over the years, and ARFA (Regulation and Supervision Agency for Pharmaceutical and Food Products) has been set up along the way, and a member of the Government has been given competence in the field of consumption.

171. As part of the state reform and in order to rationalize public administration structures, in 2013 the two agencies were merged, with ARFA assuming the previously attributed responsibilities of ANSA.

172. The increase in the water mobilization capacity, through the improvement of the catchment and storage processes, is an essential pillar, with the construction of an additional 19 dams, of which 29 dykes and 70 irrigated area (it was 80 hectares in 2004 and is expected to increase to 100 hectares in that year).

176. In the field of agricultural policies, in line with the National Strategy for the Development of Agriculture and Fisheries by 2015 and the 2005–2008 Action Plan, large investments have been made in modernizing the sector, diversifying production, with new seeds and plants more adapted to the local climate, and introducing improved breeds in the with a view to increasing national productivity and production and reducing external dependence on feeds and horticultural products. The production of vegetables has been growing gradually.

177. At the level of fisheries policies, the main export sector in the country is the projects developed in the field of aquaculture, but also those developed in the field of strengthening the small-scale fishing sector, the largest in Cabo Verde, for processing and marketing of fish.

178. In the field of cooperation, the country's participation in important meetings and policy initiatives in the field of food security, including at regional level, is highlighted. The most recent is the creation of a Regional Security Stock in the countries of the West African subregion in order to reach countries in crisis, within the framework of the National Agricultural Investment Program and the Common Agricultural Policy for [illegible] countries. Cabo Verde does not have a stock of public food security, but there is a system of warning and prevention of supply disruptions at the private level.

179. With regard to non-governmental civil society institutions, there are a number of organizations working directly or indirectly in the field of food and nutrition security. These organizations are involved in the promotion of income-generating activities, lending, promotion of agriculture, nutrition and community development. Grassroot community associations, through the establishment of program contracts, have played an important role in the implementation of rural programs, which were previously carried out by the government (FAIMO, a public works program, which enabled people in situations access to income).

180. Consumer protection associations are in fact aware of some dynamism, with a focus on consumer information, education and awareness, whether by denouncing cases of infringement of consumers' rights, bad economic markets, situations of lack of quality of products and services provided. However, much remains to be done by the State in defending consumer interests, whether in the field of education and communication, regulation of the sector, supervision, or in the field of creation of bodies dedicated to the resolution of consumer conflicts.

C. Right to water

181. In Cabo Verde, access to drinking water has made significant progress: in 2015, 68% of households have access to the public water system in their home (68% in urban areas and 59% in rural areas), while 19% have access to drinking water through fountains, 9% through the house of neighbours, 4% through self-transported water. However, a proportion of 8.6% of the households are still supplied through sources considered to be non-potable, cases of wells, floods and springs, which amounts to 22.5% in rural areas. It should be noted that in 2000 only 48% of the population had access to public water. The water supply service, mostly desalinated water, is cut, and there are complaints about the water quality of the public water supply. Consumption per capita is low: 40 to 60l/day in the areas served by the public supply network and 10 to 20l/day in the served by fountains. Access to water via the fountain means greater expenditure in terms of time (travel, waiting) and water collection in 79% of cases is the responsibility of women or girls. The use of fountain and watertank have also impact on the cost of water, which is higher than the water of the network.

182. In October 2019, the new Water and Sanitation Code (CAS) was approved by Legislative Decree No. 1/2019, of 10 October, and the new legal framework is part of the reform of the water and sanitation, which aims to reduce poverty and empower people. The CAS defines the fundamental principles applicable to water resources and establishes standards that guarantee their preservation, quality, sustainability and rational use, public and land supply and sanitation systems, as well as mechanisms for economic

and financial sustainability and the establishment of mechanisms protection of water resources. The CAS applies to all water resources in the soil, subsoil and atmosphere of the national territory, including surface and underground inland waters and water produced by desalination.

180. The CAS identifies the most vulnerable population groups and defines among its principles the participation and promotion of educational and information initiatives. It provides for the adoption of equality plans by the municipal water and sanitation services (Article 31) and social and gender obligations under concessions (Article 127, 143), as well as gender and social equality objectives in projects financed by the Water and Sanitation (Article 293). In general, it provides that planning in the sector addresses the integration of gender equality and poverty reduction (Article 94).

181. The tariff regulation of water and sanitation services, under the responsibility of the ARE (Economic Regulatory Agency), provides for attention to the socio-economic characteristics of consumers, as an element to be taken into account in the differentiation of tariffs (range of social consumption that can guarantee a level of minimum consumption compatible with public health conditions at a value related to the ability to pay, in accordance with Article 39).

182. Also in the context of the ongoing reform, the National Strategic Plan for Water and Sanitation (PLENAS) (Resolution 10/2015 of 20 February) and the Social and Gender Strategy for the Water and Sanitation Sector (ESGAS) were approved. The PLENAS establishes the goal of accessing a minimum of 40 litres of water per person each day, and the disincentive of consumptions of more than 90 litres of water per person, as well as reducing distances to levels not exceeding 10 minutes of for those who do not have home calls. It also establishes the objective of achieving a level of water cost that cannot be a limiting factor for the use of less socio-economic conditions. Furthermore, with regard to the promotion of equal access to water, the plan defines the following commitments: to adopt tariff solutions that take care of the poorest; to reduce disparities in access to water and sanitation among different types of communities, between the poor and the non-poor, and between male and female households; ensure that water or sanitation infrastructure respects the dignity and integrity of men, women and children, both domestically and in public and private services; promote equitable representation of women and men in decision-making processes in the sector; promote the sharing of tasks associated with water supply and sanitation within the family; contribute to reducing the incidence of diseases related to poor access to water and sanitation, with special attention to the most vulnerable; ensure accountability of the institutions in the sector and equitable social control; and guarantee access to information, education and communication (IEC) initiatives to different social groups.

183. The Social and Gender Strategy for the Water and Sanitation Sector (ESGAS), in turn, is a commitment made by the sector's governance institutions, namely the National Water and Sanitation Agency (ANAS), the Economic Regulation Agency — ARE, the National Department of Environment (DNA) and the Ministry of Environment, Housing and Spatial Planning and its main function is to meet the social and gender objectives consolidated in the National Strategic Water and Sanitation Plan (PLENAS). The overall objective of ESGAS is "to promote and ensure, in quantity and quality, universal access and accessibility to water and sanitation in an equitable, inclusive and participatory manner, safeguarding the empowerment of people with low income, environmental sustainability and gender equality". The overall goals to be achieved in the broader context of water and sanitation sector reform are listed below.

184. The water and sanitation sector is managed by the Ministry of Agriculture and Environment, through the National Water and Sanitation Council, an advisory body with a wide participation platform, the Directorate General for the Environment as an environmental authority and the National Water and Sanitation Agency (ANAS), whose mission is to concentrate the planning and management of public investments in water resources and water distribution and collection systems, and finally, the Economic Regulation Agency, whose raison d'être is to guarantee the quality of services and the defence of the balance between the interests of the consumer and the level of economic and financial sustainability of the operators. At the municipal level, all existing water and

sanitation operators, or those which are undergoing inter-municipalisation, are the beneficiaries of the reform, namely in access to investment funds in their infrastructures.

D. Right to housing

185. Decent housing is a right that everyone is entitled to, under the terms of article 72 of the Constitution of the Republic, and it is the public authorities responsibility to create the conditions for its realization.

186. In 2010, there were 114.297 buildings and 141,706 dwellings, the majority of which were in urban areas, i.e. 65.252 buildings (57.1%) and 90,981 dwellings (64.1%). There were 1.603 (1.4%) non-classic buildings, precarious, built with fragile materials, improvised or even shanties, containers, tents and shelters. These are more frequent in S. Vicente, where this type of housing represents 4% of the total, in Sal, where it is 3% and in Paul, 2%, evidencing disparities in access to decent housing. The Census also points to the existence of 192 shelters, concentrated in the urban area and especially in the capital, Praia (117) and São Vicente (33), followed by São Filipe (island of Fogo, 20), island of Sal (14) and Santa Cruz (island of Santiago, 8). Of the 192 people, 186 are males and 6 females.

187. A proportion of 65% of the households live in their own homes (82.4% in rural areas and 56% in urban areas), one quarter (25%) lives in a tenancy scheme and 9.5% in a concession regime. Leasing is mostly an urban practice (35.3% versus 5.6% in rural areas). Housing has an average of 3.3 divisions, with 12% at national level only having 1 division (14.8% in urban areas). The average number of households per dwelling is 1.1. Most dwellings, 95.8%, are inhabited by a single household, but a proportion of 4.2% is inhabited by 2 or more households.

188. Regarding comfort indicators, there is a progressive improvement: in 2010, around 80% of families at national level had access to electricity (89% in urban areas and 64% in rural areas), whereas in 2015 this proportion was 86% of households (90% in urban areas and 78% in rural areas). By 2015, 89% of urban households and 40% of rural households use gas for cooking, while 7% of urban households and 58% of rural households use firewood. The use of gas for cooking rose globally from 63% in 2000 to 70% in 2010, and 74% in 2015. The consumption of firewood is particularly significant in some municipalities, namely the rural municipalities of the island of Santiago, for example São Lourenço dos Órgãos (64%) or São Salvador do Mundo and São Miguel (67% in both).

189. A proportion of 77% of households have access to sanitary facilities at home (85% urban and 60% rural) in 2015: despite the great progress made in this indicator, a proportion of 23% of families still do not have toilets or waste water disposal, which amounts to 40% in rural areas. In addition, toilet seats do not always have a flushing system: of the 77% households with toilet, 41% are connected to the sanitation system (network or sewage tank) and 36% do not have water system (IMC, 2015).

190. In terms of legal security of tenure, the first land registry operations in the country, covering the island of Sal, as a pilot island and three other islands — Boavista, São Vicente and Maio, are currently ongoing. In this context, the following laws were approved: Decree-Law No. 37/2014, of 22 July, approving the Regulation of the Legal Regime of Land Registry (RRJCP) and Decree-Law No. July 22, which approved the Special Legal Regime for Register Execution of on the Islands of Sal, Boa Vista, São Vicente and Maio. The same was revised by Decree-Law No. 44/2016, following the Operation on the island of Sal (pilot project).

191. The Special Regime contains a number of provisions to guarantee the rights of persons in vulnerable situations. It provides in particular for: (i) facilitating measures to regularize land tenure in informal settlements (Urban Area of Illegal Origin), which are urban areas mainly occupied by vulnerable families/persons; measures that also apply, with appropriate adaptations, to situations of clandestine construction/informal settlements outside urban areas; (ii) measures facilitating the remission of the jurisdiction in the taxation regime, with a view to the acquisition of full ownership, knowing that the taxation regime impacts on families with less possessions; (iii) the approval of a framework of

administrative incentives (exemptions and reduction of notary and registry fees, the Single Tax on Assets Relating to Transmission and Stamp Duty), as well as the exemption of some costly procedures (such as the principle of successive treatment in certain situations, in particular of heirs, or of the publication in national newspapers of extracts of public notices in the public housing deed of heirs or notarial justification), knowing that these various costs could become an impediment to the formalization rights in the case of vulnerable holders.

192. For the most part, property owners in Cabo Verde are not in possession of all the documentation required by law to prove their right, and real estate transactions must be carried out by public deed. Thus, much of the work of the Land Register Operation implies supporting the holders in the formalization of their rights. The Special Regime foresees for the Implementing Entities of these Transactions the obligation to support vulnerable groups in the process of Declaration of Property Ownership, in delimitation and physical identification of their property and recognition of their property, including informal owners and holders of real secondary rights such as lease, right to use and surface right. That is, the obligation to provide support throughout the Operation and according to the various situations in which vulnerable people may find themselves. In order to harmonize the procedures to be implemented, an Operations Manual has been developed, containing a chapter on social and gender vulnerability issues in the context of Land Register Operations and work tools to be applied in the various phases (survey, clarification of rights, formalization, etc.). Both the Operation on the island of Sal, as well as those in progress on the other three islands, have dedicated offices to support vulnerable landowners and liaise with public entities with responsibilities in the land register and registration process.

193. It should be noted that in the scope of Land Register Operations and as stipulated in the respective Operations Manual, any situations that are identified for resettlement or future relocation will have to respect the international standards and principles contained in the Performance Standard 5 (PS 5) for Land Acquisition and Involuntary Resettlement, developed by International Finance Corporation — IFC). In this context, there is already a policy for Resettlement and Restoration of Livelihoods in the context of register operations.

194. In terms of gender equality, the Special Regime provides that the spouse who does not appear in the documentation of the property, in situations of common good, acquired in the course of marriage or de non-marital coexistence be referenced in the land register and land registration. However, in the case of non-marital coexistence, which is a very frequent situation in Cabo Verde, this implies the recognition of the same, which depends on the will of the two holders. Given that in the case of common property whose documentation is only in the name of one of the spouses, in most cases only the name of the man appears, which means that women, particularly in the case of an unrecognised union, may be more often in a situation of vulnerability, due to lack of means to prove ownership.

195. The legal framework on social interest housing safeguards the role of women as heads of household. The houses of social interest already attributed by the Casa para Todos (House for All Program) (676) contemplate in 58% of the cases women heads of family.

196. In 2010, it was created the National System of Social Housing, by Decree-Law of 05/13/2010(SNHS). Article 5 of the "special protection in access to housing for women heads of families and youth" and Article 6 specifies that "the structuring, organization and performance of SNHS" shall provide for the "establishment of quotas mechanisms for elderly, disabled and female-headed households within low-income households".

197. The "House for All" Program was launched by the Government of Cabo Verde in 2009, which is subdivided into 3 sub-programs: Inhabit Cabo Verde which aims to reduce the housing deficit by building, by 2013, around 8,000 housing units; O Pro-inhabit aims to build 1,000 houses in rural areas and Rehabilitate, which aims at the refurbish and construction of infrastructures in informal neighbourhoods. It was planned to build 8,500 houses by 2014, divided into 3 categories: A (for people with incomes up to 40 thousand escudos), B (between 40 and 100 thousand) and C (up to 180 thousand escudos). To fund the program, the government has used a Portuguese government credit line of 200 million Euros.

198. It started in 2010 with the construction of 100 houses in Boa Vista, São Vicente, Santa Catarina, Santa Cruz and Praia. Currently, 2410 housing units were already completed, 3,570 are under construction and 50 are yet to start construction. The program continues with 3,570 houses under construction in several municipalities of the country.

199. The application for housing occurs at a national level with the inclusion of households in the register of housing of social interest. The process of assigning the dwellings is done through the pre-selection of the families through a computer application and is defined in the legal system of the National System of Housing of Social Interest. The contract regime depends on the level of household income. As a lease agreement for families with income between zero and sixty thousand escudos; a purchase and sale agreement for households with an income of more than sixty thousand escudos but less than two hundred and fifty thousand escudos. Data indicate 1,967 assigned dwellings, of which 1091 were through a lease agreement (Class A) and 676 through purchase and sale agreements (422 class B and 254 Class C).

200. According to data from the IFH, it is found that 68% of the households enrolled in the Register (CUBHIS) at national level are head by the woman. In the process of delivering the houses, it is noted that 54.1% of the contracts are signed with households where the woman is the sole contractor.

201. With regard to people with disabilities, the House for All Program requires that 5% of all dwellings, in all constructions, be adapted, wheelchair-prepared and with adequate accessibility. This rule has been applied in the construction and allocation process, and these dwelling are reserved exclusively for people with such needs.

202. It should be noted that in 2011, through Decree-Law No. 20/2011 of 28 February, the country approved a set of technical standards that guarantee the accessibility, with security and autonomy, of people with disabilities and disabled mobility, namely through the elimination of urban and architectural barriers in public buildings, collective equipment/furniture and public roads.

203. The "Operação Esperança" (Hope Operation) Program, implemented by the Cabo Verdean Foundation for Social Solidarity, intervenes in the rehabilitation of houses for people in vulnerable situations, and between 2005 and 2009, it rehabilitated about 3,127 houses, benefiting approximately 18,205 people.

Article 12
Right to Health

204. The Constitution, in its article 71, establishes the right to health and the duty to defend and promote it, regardless of the economic condition. Within the framework of guarantees to the right to health, it instructs the State, inter alia, "to ensure the existence and functioning of a national health system; encourage community participation at the various levels of health services; (...) encourage and support private initiative in the provision of preventive, curative and rehabilitative health care".

205. The country is a subscriber to the 2006 Maputo Declaration and 2030 Agenda for sustainable development, in addition to the already mentioned Cairo Program of Action and the Beijing Platform for Action.

206. Law No. 41/VI/2004 of April 5 establishes the Bases of the National Health Service. This is governed by the principles of universality of access at all levels of health care, solidarity, equity in the distribution of resources and use of services, safeguarding human dignity and preserving the physical and moral integrity of users and providers, the freedom choice of health facility and provision of care.

207. The health sector has been making steady progress over the years, as evidenced by the positive evolution of the main indicators in this area. As a result of improved sanitary and hygienic conditions, the country is epidemiologically in transition, with a steady decline in communicable diseases and an increase in chronic diseases, including hypertension and cardiovascular and oncological diseases, related to the development.

208. The budget allocation for the health sector over the period 2005 to 2014 has averaged 8.7% of the State Budget, ranging from a maximum of 9.73% in 2012 to a minimum of 7.12% in 2006.

209. The National Health Service in 2013 consists of 2 central hospitals (Praia and S. Vicente), 4 regional hospitals (Fogo, Ribeira Grande de Santo Antão, Santiago Norte and Sal), 28 health centres, 35 health posts, 108 basic health units, 5 reproductive health centres. The Basic Sanitary Units are installed in all Municipalities.

210. With respect to human resources allocated to health facilities, Cabo Verde had 308 physicians and 594 nurses in 2013, an increase of 23% and 20%, respectively, compared to 2009. It is noted that the number of physicians and nurses has increased systematically in the country, making in the year 2013 the ratio Physician per 10,000 inhabitants and Nurses per 10,000 inhabitants of 6 and 11.6, respectively. São Vicente is the Island/Municipality where the ratio of physicians per 10 thousand inhabitants and the ratio of nurses per 10 thousand inhabitants are higher, reaching values of 10.7 and 19.2, respectively.

211. However, there are regional differences, as there are municipalities with limited coverage of doctors and nurses, such as São Salvador do Mundo, Ribeira Grande de Santiago and São Domingos. Disparities that condition the access to specialized care, whose demand has increased due to the aforementioned change in the epidemiological profile, implying the use of inter-island and international evacuations, with high charges for the National Health System.

212. The financial sustainability of the National Health Service is one of the biggest challenges facing the sector. Taking into account in particular the high costs associated with the increasingly complex provision of services as a consequence of the country's development, the budgetary allocation for Health, external dependence on the provision of contraceptives and medicines, the need for greater co-participation of the care provided, as well as the existence of a considerable proportion of the population not covered by any social protection scheme. It should be noted that there is a national company — Inpharma, which produces essential medicines frequently used, currently covering about 27% of the national market needs (coverage that was 23% in 2011).

213. Another critical aspect of the system has to do with both internal evacuations, due to the archipelagic nature of the country, and international ones, which consume a significant portion of the budgetary budget of health. The bulk of the evacuees abroad are composed of insufficient kidney patients, many of them living in precarious conditions in Portugal, due to the lack of institutional support. On the other hand, the evacuation system is often criticized for its lack of transparency and slowness. However, it is worth highlighting the installation of the Haemodialysis Centre at Praia Central Hospital, inaugurated in 2014, which has the capacity to treat 48 patients.

Public policies on health

214. It was approved in 2007, the National Health Policy covering up to 2020, whose vision is the growth of the health sector as a factor for integral development, social justice and the fight against poverty, based on the principles of solidarity, sharing responsibilities, equity in access and use of services and ethics in the defence of human dignity. The commitment is, thus, with the implementation of a National Health Service of quality and accessible to the entire population. It is worth mentioning the preparation of a Human Resources Development Policy with the aim of improving the management of the human resources of the sector. Continuous staff capacity building activities have been developed and, through cooperation, specialists have been trained in various fields, as another key vector of action.

215. Significant gains have been made in the efficiency of health services in their overall performance and in protecting the health of the Cabo Verdean population. The population's access to quality health services has been considerably improved with the expansion and improvement of health care, through the increase and upgrade of infrastructures, the creation of Health Centres aimed at primary care and with extended care in Praia and in São Vicente, as the most populous islands. In fact, between 2009 and 2013 there is a 65% increase in the number of Health Centres in the country. Also, worthy of note is the

elaboration and validation of instruments, norms, procedures and protocols of action in several areas, as well as the computerization of statistical data. In addition, there was an increase in specialized human resources and equipment, especially in primary and secondary care services for children, pregnant women and newborns. Of note is the expansion of the national vaccination plan, which today included 10 vaccines free of charge, compared to the 6 vaccines offered in 2000 and which is available in all health facilities in the country, with emphasis on the structures of the primary care network, reproductive health services. Vaccination campaigns are regularly organized to strengthen routine vaccination in the health services. Exclusive breastfeeding is promoted up to 6 months. It should be noted that the medical visits of children under 1 year of age increased: from 2009 to 2013 grew by 29.2% and in 2013 reached 98.3%. There was also an increase in the average number of consultations, from 7.8 in 2009 to 9.9 in 2013.

216. In the context of the MDG targets and in order to reduce the under-five mortality rate by two thirds between 1990 and 2015, human, technical and material conditions in the different health structures were strengthened for an Integral Care to Childhood Diseases, including neonatal care; training of health professionals and supervision; information and education activities; norms and procedures in the provision of prenatal care services, during childbirth and postnatal care; the discussion, through auditing, of neonatal and infant deaths and adoption of the "Infant Death Investigation Card"; the creation of a National Perinatology Commission; and the systematic use of neonatal and paediatric protocols. Similar to measures implemented under MDG 4, measures were also implemented to achieve MDG 5 (improving maternal health) and MDG 6 (combating HIV/AIDS, malaria and other diseases).

217. The development of the National Reproductive Health Program in 2001, replacing the Maternal and Child Health/Family Planning Program (PMI/PF), reflects the commitment to implement a sexual and reproductive health policy. Under its framework, two Strategic Plans were prepared, notably, the 2002–2006 Strategic Reproductive Health Plan and the 2008–2012 National Reproductive Health Program. In the field of maternal health, it is important to highlight the adoption of the Strategy for Integral Care to Women's Health, aiming to offer women integrated care throughout their sexual and reproductive life.

218. The National Strategy for Sexual and Reproductive Health of Adolescents and Youth with a view to meeting their sexual and reproductive health needs, in a comprehensive manner and in line with their sexual and reproductive rights. There are specific centres for the care of youth and adolescents: in Praia and São Vicente, several Health Centre facilities have been adapted for this purpose, and the respective health professionals have been trained to provide specific assistance to adolescents and youth. The health personnel carry out prevention activities, including support for initiatives in secondary schools, in Information and Guidance Offices (EIO): they work under a peer education approach in the field of Sexual and Reproductive Health, among other topics, and currently exist in 26 secondary schools.

219. The Program for the Care of Women and Man's Health, as well as the Program for Adolescent Health Care, is in the process of being implemented, and a program for the elderly is under way. The proposed approach addresses health at all stages of the life of women and men and the development of public health, enhancing health promotion and health education, involving schools and the community.

220. In the specific field of HIV/AIDS, the creation of the National Commission to Combat HIV/AIDS, a multisectoral coordinating body to combat the pandemic, which is chaired by the Prime Minister, and the approval of the 1st Strategic Plan to Combat HIV/AIDS (PENLS) in 2002, embodying a new approach to the HIV/AIDS issue in the country. The national response to the epidemic has gained appreciable gains, with the involvement of all sectors of society in prevention and awareness-raising, a multisectoral and decentralized response, with the introduction of antiretroviral medicines in 2004, the equipment of clinical exam laboratories for major hospitals in the country, training of health professionals, introduction of rapid HIV/AIDS screening tests.

221. Universal and equitable access to HIV testing and antiretroviral treatment is guaranteed to the population free of charge. Care to people living with HIV/AIDS is offered at the health centres, central and regional hospitals throughout the country. Pregnant women have access to the HIV Test during prenatal care at national level, with about 90 cases being diagnosed annually in about 11,000 pregnancies tested. Antiretroviral treatment and regular follow-up of all HIV/HIV-positive pregnant women and children are ensured. The transmission rate from mother to child has been decreasing progressively, being less than 2%.

222. The 2nd and 3rd Strategic Plan to Combat HIV/AIDS (PENLS 2006–2010 and PENLS 2011–2015) deepened the focus of service delivery to particularly vulnerable groups. In fact, the improvement in data availability allowed the characterization of the epidemic in Cabo Verde as a concentrated type, with higher prevalence rates in some groups, namely sex workers (SW) and injecting drug users (IDU's), in which the prevalence exceeds 5%, both highly marginalized groups. Specifically, in 2013 the prevalence was 7.7% among sex workers (SW), an essentially female population; 3.9% among drug users, a predominantly male population, although women, who represent 2.5% of the DU population tested, have a higher prevalence rate than men (5.6% versus 3, 9%). The PENLS (2011–2015) focuses, among other aspects, on addressing key populations, namely SW, DU, men who have sex with other men, another highly marginalized group. In partnership with the civil society organizations, outreach projects with SW were implemented, including IEC services, training of 25 peer educators, STI and HIV screening, among other mobile units: between 2012 and 2013, a total of 1,036 women had access to voluntary HIV testing and received the result, where necessary referred for treatment of STIs and antiretroviral treatment. A proportion of 67% of SW declares having access to social support in 2013 (a proportion that was 54% in 2011), which despite the improvement is still insufficient (including medical and medicine care, psychosocial care, gender support, schooling of children through material and school transportation, provision of condoms, among others). It should be noted that 98% of SW are of Cabo Verdean nationality, although in Santa Maria, on the island of Sal, practically all SW are of foreign nationality.

223. The country adopted a Law on Prevention, Treatment and Control of HIV/AIDS, Law No. 19/VII/2007 of 26 November, which deals with aspects related to the prohibition of discrimination against people living with HIV, and no one can be forbidden to move in or out of the country,, or be quarantined. It, however, lacks regulation. A 2015 study (Stigma and Discrimination Index of People Living with HIV in Cabo Verde, published in 2016) indicates that the overwhelming majority of people (89.7%) living with HIV ensure that they are not victims of discrimination and stigmatization, either in access to education, health services and integration in the labour market, or in the family and community in which they are integrated. However, only 1 in 4 people living with HIV report their positive serological status to family members, and most manifest low self-esteem (52.3%).

224. Considering the importance of the permanent availability of safe and good quality medicines in the functioning of the Health Services and their impact on the population's trust in 2003, a document entitled National Pharmaceutical Policy was approved. In this context, it is also worth mentioning the First and Second Plan of Health Development (2008–2012 and 2012–2016), which identify as one of the fundamental axes of the sector, the development of the pharmaceutical sector and health technologies. The Directorate-General for Pharmacy is the public body responsible for defining, regulating, implementing and evaluating the National Pharmaceutical Policy for the protection of public health and ensuring access for health professionals and citizens to quality, effective, and effective medicines, health products and insurance, as well as the coordination and technical support for the management of medical and hospital equipment.

225. The Regulation and Supervision Agency for Pharmaceutical and Food Products (ARFA) was established by Decree-Law No. 42/2004 of 18 October, with the status of "National Authority for the Quality of Medicines and Foodstuffs for Human and Veterinary Use, as well as accreditation, acts, in consultation with the competent authorities, in the areas of management of mechanisms for fixing and controlling prices of medicinal products and foodstuffs, supervision of the national stock of medicines, based on

the National List of Medicines and quality control of local production and imported products" and for the purpose of "technical and economic regulation as well as the supervision and oversight of the chemical-pharmaceutical and food sectors".

226. The responsibilities of ARFA for the pharmaceutical sector are: regulation and supervision of the activities of production, import and distribution of pharmaceutical products; the protection of consumers' rights and interests, in particular with regard to market supply, prices and quality of services provided and promotion of the establishment control and pricing, and to monitor their compliance with import and production.

227. The regulatory framework, through Decree-Law 22/2009 of 6 July, establishes the price regime for medicinal products for human use and creates the Integrated Pharmaceutical Market Monitoring System — SIMFAR. Decree-Law No. 64/2009, of December 21, which establishes the rules for the organization and operation of SIMFAR. Decree-Law No. 23/2009, of 21 December, which defines the standards for monitoring the economic aspect of SIMFAR.

Article 13
Right to Education

228. The right to education is protected by the constitution, which in its article 78, states that education is a right of all, that it must be integral and aim at the human, moral, social, cultural and economic promotion of citizens and prepare the citizens for the exercise of professional activity and participation in public life and exercise of citizenship, among others. It is the responsibility of the State, in this context, in particular, to guarantee the necessary conditions for the full exercise of this right, under conditions of equal opportunities for access and school success.

229. The Basic Educational System Law (Law No. 103/III/90, of December 29, recently revised by Legislative Decree No. 2/2010, of May 7) is the Centre of the infra-constitutional legal regime for education. Article 4 states that all citizens have the right and the duty of education, and the State must fulfil the required conditions for the exercise of the rights and duties of citizens in the field of education, by watching for the "development and improvement of the public education system, with priority for compulsory schooling". It foresees the extension of compulsory schooling from 6th grade to 8th grade and recommends the possibility of gradually extending compulsory schooling up to 12th grade of schooling, depending on the creation of sustainability bases, upon conditions to be determined by the Council of Ministers' Resolution.

230. The education system is composed of pre-school, school and extra-school subsystems, supplemented by school sports activities and socio-educational supports and supplements, in an integration perspective. Pre-school education aims at supplementing or subsiding family educational responsibilities. The school includes the primary, secondary, associate and higher levels, as well as special teaching modalities and also includes leisure activities. The extra-school includes literacy activities, post-literacy, technical-vocational training that is closely linked to the national system of vocational and training and learning.

231. One result already achieved is universal basic education and compulsory attendance with a duration of 6 years. Starting from the 2009/2010 school year, the multi-teacher system introduced in the 5th and 6th years of schooling (two or three teachers) in order to facilitate the transition of the students from this phase/cycle to the next phase/cycle (7th and 8th years). Currently, the program of extending compulsory schooling up to the 8th year of schooling, which includes two sequential cycles, has been implemented: the first of four years (1st to 4th year) and the second, also, of four years (5th to 8th year), in a progressive sequential articulation. The redesign of the phasing structure teaching into teaching cycles and also of the curricular matrix is ongoing, as well as the readjustment of the teaching regime. In terms of free conditions for compulsory education up to the 8th year, progressively, there is provision for exemption from the tuition fees of the 7th year of schooling in the academic year 2017/2018 (starting in September 2017) and the 8th year of schooling in the academic year 2018/2019, the respective amount being assumed by the State and transferred to the respective Schools. The plan includes the prospects for the

progressive extension of free education for subsequent years, up to the 12th year of schooling, by 2023.

232. Secondary education is divided, from the 3rd cycle (9th year to 12th year) in two branches: a general and a technical branch; the latter oriented towards the exit to the job market. Higher education, carried out by universities, has experienced an exponential growth, from 1,810 students in 2001 to 12,538 in 2015, representing an increase around 593%. Systematized data on the effectiveness of the system is not known and scientific research is still very incipient and carried out in a framework of scarce institutional coordination. In order to fill these deficiencies, the Ministry of Education's organizational structure includes the Office for Science, Technology and Innovation, which is already implemented. Likewise, the Higher Education Regulatory Agency (ARES) is in the process of being set up, which should be in operation by 2017.

233. The country has made important progress towards the realization of this right both in terms of equity of access and the quality of access. Since 2000, basic universal schooling has been considered an achievement: 93 out of every 100 children between the ages of 6 and 11 attend primary school and 89 in every 100 school-age children complete the last year of this level of education (6th year).

234. The Education Sector in Cabo Verde has been characterized in the last five years by a marked expansion of Secondary Education, as a consequence of the universal access to basic education and the extension of compulsory schooling for the 6 years, and a consequent increase in the social demand of the higher education, a situation that coexists with the increase in the demand for pre-school services, due to the awareness of the importance of this level of education, but also by the increase in the supply at this level of education.

235. From 2000 to 2012, the Higher Education subsystem showed great dynamism: the number of students increased from 717 in 2000/2001 to 11,769 in 2010/11. The number of higher education institutions also increased, from 4 in 2000/2001 to 9 in 2011/2012.

Public policies on social education

236. All strategic planning instruments of the country, notably, the DECRP I, II, and III agreed around the priority to improve the qualification of the Cabo Verdean population, which is a strategic resource for the national development process. The Basic Educational System Law, revised in 2010, aims to qualify the sector to better respond to the demands arising from the country's development and its Transformation Agenda. Among the main innovations stand out the curricular revision, the generalization of pre-school education, the extension of compulsory schooling up to 8th grade and the meeting of conditions for its gradual extension to 12th grade, the harmonization of higher education with the European model of Bologna, the strengthening of special education, the development of a policy consolidating the Cabo Verdean language, among others.

237. As part of the curricular revision, the area of Education for Citizenship was introduced in Primary Education and in the first two cycles of Secondary Education. It aims to provide a privileged space for the promotion of ethical and civic values aimed at forming committed citizens. The study focuses on the mainstreaming of human rights, gender equality and citizenship in curricula, integrating these themes across subjects, by defining concrete objectives. The attribution of a central and permanent place in artistic education to artistic education aims to develop aesthetic sense, creativity, imagination and cooperation in societies that are increasingly based on knowledge. The consolidation of the teaching of the Portuguese language, the introduction of English and French languages in the fifth year of schooling, the promotion of Cabo Verdean art and culture, the development of taste for research, the promotion of experimental teaching, laboratory practices and information and communication technologies (ICT) also guide the construction of the present proposals of the curricula for Basic and Secondary Education.

238. The first 6 years of education are free and there are no enrolment or tuition fees. Household school costs include expenses relating to uniforms (gowns), school supplies, examination expenses, and there are various programs for the donation of gowns and school supplies, promoted either by public institutions, civil society organizations, School

books are subsidized and purchased by families at a relatively low price. The phasing out of enrolment fees or tuition fees for 7th and 8th graders is ongoing.

239. In the sphere of social school intervention, important initiatives have been implemented to ensure equality and equity in access to different levels of education and to promote school success. In this context, the initiatives include the provision of hot meals to children National Canteen Program, created in 2010 and financed and managed by the Government of Cabo Verde, benefiting 90,000 students, and expected to be extended to an additional 40,000 students from primary school, extended to 8 years; the implementation of a school health program; the granting of scholarships and study grants to students in Secondary Education, benefiting 7,420 in secondary education, and there are also scholarships for Higher Education, as mentioned below; school transportation, covering 3,050 students from all municipalities; student residences intended to accommodate students from difficult-to-reach areas, with 5 residences (Praia, Santa Catarina, Porto Novo, Ribeira Grande de Santo Antão and São Vicente) currently benefiting 454 students; school fees to underprivileged students covering 8,000 secondary school students; (kits), a program that began in 2003 and which benefited 40,000 Primary Education students; the sponsorship program for children, an initiative launched in 2003 that has already benefited close to 23,000 children with regard to the various social services provided by FICASE. These activities are developed by FICASE in partnership with Ministries in charge of the social matters, International Organizations, Municipalities, NGOs, community associations, companies and individuals.

240. For pre-school education the strategic objective is to consolidate and implement quality pre-school education, with a view to providing a social, educational and formative response. In order to improve the effectiveness of preschool education policies and to reduce economic and social disparities, this subsystem will focus on four key pillars: integration of preschool into the formal education system; subsidization of the most needy in order to promote the inclusion of all children from 4 to 6 years of age, improvement of the working conditions of preschool educators (public and private network) and consolidation of the professional career of child educators (through training programs and salary framework). The following measures are in progress: support for increasing the number of Kindergartens of the Municipalities, NGOs and religious entities; the payment of bribes to children of the most needy families; Survey of children's skills at entry to Primary Education, already finalized, as a basis for the planning of educational action at this level of the education system; the increase in the number of gardens offering hot meal; the improvement of some infrastructures of kindergartens; and the provision of scholarships for the training of pre-school monitors in order to improve the quality of this level of education.

241. With regard to vocational education, it is the responsibility of the State to develop a system of school and vocational guidance that allows young people and families to make an informed choice about the academic or professional career (article 67°). The educational offer of vocational education has been increasing in Cabo Verde: from 2001 to 2008 the average annual vacancies were 980 and between 2009 and 2013 the average annual vacancies was 3,270. In addition, formal technical education was implemented in the last cycle of secondary education: in 2011, the technical pathway of formal education represented almost 3% of secondary education.

242. Scholarships for Higher Education in the last 3 years (2013, 2014 and 2015) total, respectively, 1,366, 1,387 and 1,245, mostly for national studies (55% in 2013, 69% in 2014 and 60% in 2015). Scholarships for study abroad are often for specialization at Master's or PhD level.

243. The New World program strengthens a major intervention axis on education policy, in the development of new ICT-based skills, with key components being technological infrastructures and the promotion of digital inclusion, by facilitating the access of the most disadvantaged classes to new technologies. Of the total of 414 primary schools and 46 secondary schools in 2015, the program has already covered 89 schools nationwide, of which 45 are Secondary and 44 Primary schools. The equipment, focusing on technologies for classroom use, includes laptop/desktop computer, speakers, projectors, screens, printer, and interactive whiteboard. The training of educational agents for their use has been a

priority, and the program has already trained some 5,190 primary and secondary school teachers (2,132 from primary schools, 3,044 from secondary schools) and 14 teachers from the University Institute for Education (IUE). There are currently 30 secondary schools connected to the internet with the state network and konekta squares (wifi). The program also provides for the access to computers, tablets and smart phones to teachers and students in secondary and university education, through a partnership with telecommunication operators, which allows teachers and students to acquire such computer equipment at a reduced cost (to date 2,696 pieces of equipment). The financial cost-sharing percentage of teachers and students varies between 15% and 5%. The partnership was developed in the context of the debt that the telecommunication operators (CV Móvel and Unitel T+) have with the Cabo Verdean government, regarding the 3G license. The technological investments made have also constituted an added value for school management: they have already allowed the installation of an Integrated School Management System in 26 Secondary Schools.

244. At the level of higher education, the creation of the University of Cabo Verde by Decree-Law No. 53/2006 of 20 November, for its impact on the development of the subsystem and the facilitation of access to this level of education, reflected in the increase an important measure. Its regulations have made progress in this period, and the statute of its staff has been approved by Decree-Law No. 8/2009, the Statute of Higher Education and Private and Corporate by Decree-Law No. 17/2007 of 7 May and regulated by constitution and operation of Private and Cooperative Education Institutions, by Decree-Law No. 32/2007 of September 3.

245. The establishment of an Agency for the Regulation of Higher Education is ongoing, and the Installation Commission is already in place.

246. The development and expansion of private education is another central axis of the process of development and modernization of the education system, for its role of supplementing the action of public schools. Significant steps were taken at the level of its regulation and the conditions of its operation.

Article 14
Right to Culture

247. The Constitution of the Republic establishes in this context, notably, in Article 79 that "everyone has the right to cultural enjoyment and creation, as well as the duty to preserve, defend and valorise the cultural heritage" and to this end "the public authorities promote, encourage and ensure the access of all citizens to enjoyment and cultural creation in collaboration with other cultural agents". The freedom of intellectual, cultural and scientific creation, as well as the dissemination of literary, artistic and scientific works is another precept that finds constitutional support in its article 54.

Data on culture and public policies for the sector

248. In the Government program of the IX Legislature, culture is approached in a perspective of integration in the generation of economic wealth with a balanced national distribution, seeking to incubate small and medium national cultural enterprises that can combine creativity with the generation of jobs, income and well-being.

249. The program proposes strategic concertation on cultural policy with other sectors such as education, tourism and vocational training, as well as with cultural agents and their representatives and the integration of culture into the education system for the universal training of a full citizenship, strengthen legislation as a strong legal support for the cultural industry, such as intellectual property.

250. It provides, inter alia, for the establishment of the following cultural policy instruments: Permanent Forum on Culture, with a view to monitoring the evolution of cultural policies; Strategic Plan for Cultural Development, indicative and guiding [illegible] of policy guidelines in the various sectors of culture, including the missions and programs of public institutions; Music Conservatory; a National Culture Fund with the

participation of the State, private institutions and international cooperation; a line of credit as an essential element for the development of cultural industries, facilitating access to the financing of projects to creators and artists.

251. The professionalization of Carnival as one of the tourist strands of excellence, the multiplication of formations in the performing arts with a view to promoting the professionalization of activities such as the Mindelact International Festival, the creation of incentive grants for the production of "Made in CV" (M.I.C.A) as a crucial strategic for the financing and sustainability of the sector, the promotion of the organization and professionalization of the area of shows, publications, in its various types, literature, video, photography, documentaries or other, the establishment of a National Program for the Appreciation of National Heritage (namely, the Old City, preservation of Monuments and National Sites and support in the constitution of Museums) and National Theatre, constitute some of the concrete measures which it intends to implement over the next five years.

252. The government structure of the IX Legislature gives the Ministry of Culture and Creative Industries expertise in the fields of culture, creative industries and the media, in particular in safeguarding and enhancing cultural heritage, encouraging artistic creation and the diffusion of culture in the development of handicrafts, the internationalization of Cabo Verdean culture, the dignification of the Cabo Verdean language and the development and modernization of social communication.

253. The preservation, defense and valorisation of the Cabo Verdean cultural heritage is considered as a task for all, in accordance with the Basic Law of Cultural Heritage, Law 102/III/90, of December 29, of the State, which is responsible for collecting and promoting the conditions for doing so of local authorities in the areas within their jurisdiction, and of the citizens to whom the right and duty to do so are assigned.

254. Concerning the architectural heritage, great efforts have been made to restore, rehabilitate and preserve various buildings and monuments.

255. Within the framework of a strategy to capitalize on the history and idiosyncrasy of Cabo Verdean cities and improve urban space management and land use planning, Cabo Verde currently has 8 National Cultural Heritage sites, namely Cidade Velha whose recognition occurred in 1990, the city of Ribeira Brava (island of São Nicolau) in 2010, the Historic Centre of Mindelo (island of São Vicente) and the Salinas de Pedra de Lume (island of Sal) in 2012, the city of Nova Sintra (Brava Island), as well as the city of São Filipe (island of Fogo) and the Historic Centre of Praia (Plateau) in 2013.

256. As part of the preparation of the Cidade Velha registration proposal on the World Heritage List, the Cidade Velha Management Plan (2008-2012), a guiding document of heritage interventions in the city of Ribeira Grande de Santiago, Cidade Velha, in view of achieving the right balance between development and preservation of heritage.

257. Cidade Velha was recognized in 2009 as a World Heritage Site. It should be noted that Cabo Verde is working on the application process of the Tarrafal Concentration Camp also to a World Heritage Site.

258. The National Culture Day was established as October 18, the date of the birth of the poet Eugénio Tavares.

259. In view of improving and democratizing access to funding for the creation, and replacing the Autonomous Fund for Access to Culture, it was created the Bank of Culture, a support service for the design and financing of cultural projects, using bank financing, supported by funds from the Culture Fund, an autonomous Fund, which is supported by appropriations, donations and repayments. A process of restructuring this instrument is ongoing.

260. The cultural creation grants were established by Decree-Law No. 13/2008 and its regulations were approved. Their value is one thousand million escudos annually, being eligible Cabo Verdean citizens living in the country or diaspora. These two measures are in addition to others such as the Patronage Law, Law No. 45/VI/2004, of July 12, regulated by Regulatory Decree No. 8/2004, of October 25, which regulates Cultural Patronage and

other tax incentives in the fields of music, in particular in the importation of equipment not manufactured in the country, works of art, sculptures, scientific, technical and didactic books, among others, which are exempt from customs duties and VAT, in addition to other benefits provided for in the State Budget Laws.

261. The Intersectoral Strategic Plan for Culture was approved, in which culture is seen as a means to transform Cabo Verde into a new type of tourism and stimulate the development of a new economic sector.

262. With regard to the mother tongue, Cabo Verdean Creole, the language of primary socialization and expression, it must be highlighted the approval of the Strategy for Affirmation and Valorization of the Cabo Verdean Language, through Resolution No. 48/2005 of 14 November, Decree-Law No. 8/2009, of the Unified Alphabet for the Writing of Creole, ALUPEC, approved in an experimental regime by Decree-Law No. 67/98, in accordance with the provisions of the Constitution regarding its protection, valorization and use in written communication.

263. Its officialization, a subject that has been acquiring ever greater centrality in the academic landscape, but also political and in society in general, however, it is not a peaceful matter, engaging all Cabo Verdean society, despite the Constitution of the Republic in its Article 9 mandating the State to create the conditions for its official formalization, in parity with the Portuguese, and to grant all citizens the duty to know the official language and the right to use them. Data from a 2005 study illustrate that only 51% of the Cabo Verdean population expressed support for its officialization, with disparities between the islands, with 61% approval in Santiago compared to only 20% in Santo Antão or 26% in São Vicente.

264. There are no reports of violations of cultural rights worth noting, either at the level of expression of cultural identity or cultural enjoyment.

265. Regarding the protection of copyright, the Legislative Decree No. 1/2009of 27 April, amended the Law 104/III/90, of December 29, known as the "Copyright Law". This revision was imposed by the need to introduce legislative changes by adopting a standard with a view to ensuring the compatibility of Cabo Verdean legislation with international law and to building a system of legal protection for works, services and protected productions, effective and based on a protection of copyright, based on a high level of protection, basic conditions for the development at national level of the activities — works, services and cultural — products and their agents, encouraging the creation, production, trade and technological development linked to the market of the designated "cultural industries".

266. The subject of copyright has deserved dissemination through television spots in which well-known Cabo Verdean artists communicate how the purchase of pirated artistic creations harms everyone.

267. Complaints of copyright infringement have been registered, namely the lack of payment of royalties by the diners, in the specific case of the record market.

268. In February 2005, the Cabo Verdean Society of Authors (SOCA) was created, whose purpose is the management, protection and promotion of the moral and patrimonial rights of authors of all genres and forms of literary, artistic and scientific creation, among others.